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THE

HISTORY

OF

Edward Dowsett

ENGLAND.

Written in FRENCH by

M. RAPIN DE THOYRAS.

Tranſlated into ENGLISH, with Additional Notes, by

N. TINDAL, M. A.

Rector of ALVERSTOKE, in HAMPSHIRE, and Chaplain of the Royal Hoſpital at GREENWICH.

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MAPS, GENEALOGICAL TABLES, and the HEADS and MONUMENTS of the KINGS.

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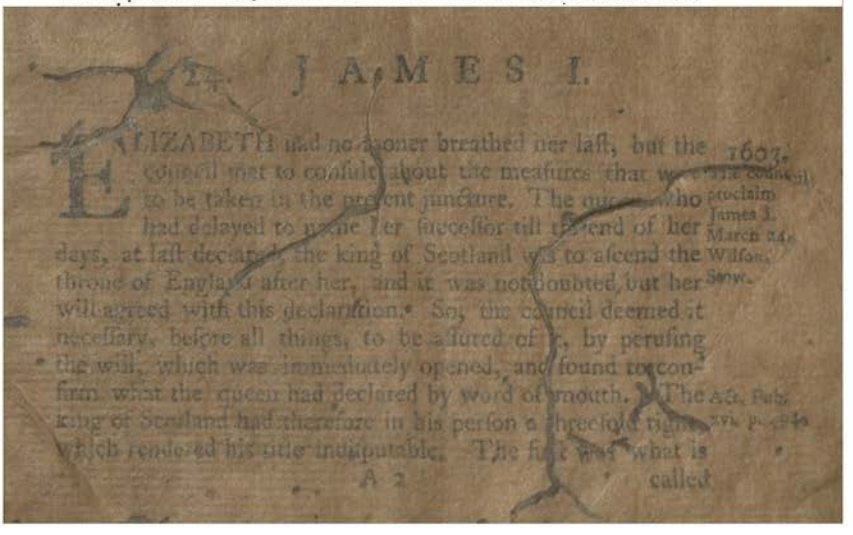
BOOK XVIII.

The Reign of JAMES I. *Containing the Space of two and twenty Years, and three Days.*



24. JAMES I.

ELIZABETH had no sooner breathed her last, but the council met to consult about the measures that were to be taken in the present juncture. The queen, who had delayed to name her successor till the end of her days, at last declared, the king of Scotland was to ascend the throne of England after her, and it was not doubted, but her will agreed with this declaration. So, the council deemed it necessary, before all things, to be assured of it, by perusing the will, which was immediately opened, and found to confirm what the queen had declared by word of mouth. The king of Scotland had therefore in his person a threefold right, which rendered his title indisputable. The first was what is

1603. The council proclaim James I. March 24. Wilson, Stow.

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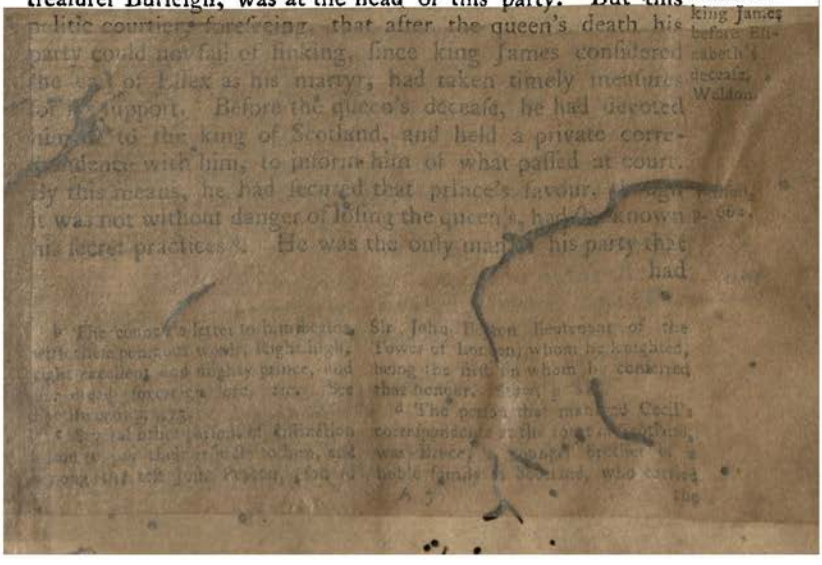
in proclaiming him [b]. These were quickly followed by Sir Thomas Lake, who was sent by the council to inform him of the state and condition of the realm [c]. James I. 1603.

Reflections of the English.

Whilst the news of his accession to the crown was carrying to the king, the English were reflecting on the alterations which the queen's death was likely to produce. The people in general lamented the loss of their queen. They had been happy under her, and were not sure their happiness would continue in the new reign. A king of Scotland on the throne of England, was to most no pleasing object. Besides, since James was of age, he had given no very advantagious idea of himself. His unsteadiness, his weakness for his favorites, his inclination to the catholics, of which, on several occasions, he had given visible marks, were not qualities apt to prepossess the English in his favour. It was hoped, however, he would tread in the steps of the illustrious queen, his immediate predecessor, because it was thought he could not follow a better course, and what is desired is easily believed. As for the deceased queen's ministers and courtiers, the good and welfare of the realm was what least affected them. Every one was wholly intent upon gaining the favour of the successor. Towards the end of the late reign, there were two factions at court, the one consisting of Essex's friends, and the other of his enemies. The first was entirely humbled by the death of their head; and the other had so far the ascendant, that they absolutely ruled in the council. Sir Robert Cecil, secretary of state, and second son of the late lord treasurer Burleigh, was at the head of this party. But this

Sir Robert Cecil was devoted to king James before Elizabeth's decease. Wilson.



James I. 1603.

had gained the new king's favour, which he so artfully cultivated, that in the end he became his prime minister.

The hopes and fears of the English with regard to religion. Speed.

There was also another thing which engaged the attention of the English, namely, the affair of religion. The king's conduct in Scotland gave occasion for sundry reflections, which kept people in uncertainty, none knowing positively what was to be hoped or feared. James was born of Roman catholic parents, but being taken from his mother in his infancy, had been educated in the protestant religion, and always professed it. On the other hand, the religion he had been brought up in, though protestant, differed a little from the religion established in England, if not in doctrine, at least in discipline, and some other points of external worship, which were considered by the two churches as very important. In a word, it was the presbyterian or puritanical religion. In fine, this prince had shown on numberless occasions, that he was far from being an enemy to the Romish religion. All this formed a certain contrast, which bred an universal suspense. The catholics hoped to meet, under his government, with gentler treatment, and more indulgence than under Elizabeth, nay, they carried their expectations much farther. The presbyterians flattered themselves, that James, who had been educated in their religion, would promote the reforming of the church of England upon the plan of that of Scotland, and hoped shortly to see the downfal of the ecclesiastical hierarchy. Finally, the Church-of-England-men thought to have reason to expect, that the new king would conform to their religion, since it was established by law. But after all, the hopes of the three parties could not but be mixed with fears, since the king had not yet declared himself. Such were the sentiments of the English concerning their new king, whom as yet they knew only by report.

James sets out for England. Stow. p. 819, &c. Spotiswood. Weldon.

As soon as James was informed by the persons sent from the council of England that he was proclaimed, he dispatched Aston to acquaint the privy counsellors, that he was pre-

the matter with such address and secrecy, that all the great men in England, without knowing of one another's doing it, and without the queen's suspecting any thing, signed in writing an engagement to assert and stand by the king of Scots right of succession. Burnet's Hist. p. 8. Cecil was very like to have been discovered a little before the queen's death. Being in the coach with her as she was taking the air, on Black-heath, a post from Scotland came by. Whereupon the queen stopped her coach to receive the packet. Cecil dreading some of his secret conveyances might be discovered, and having a ready wit, hastily calls for a knife to cut it open. But just as he was going to do so, he pretended it had a very nasty smell, and ought to be aired before her majesty saw it, which the queen, [illegible] trusting nothing, and having all sorts of all things, ordered to be done. Wilson, p. 662. Compl. Hist.

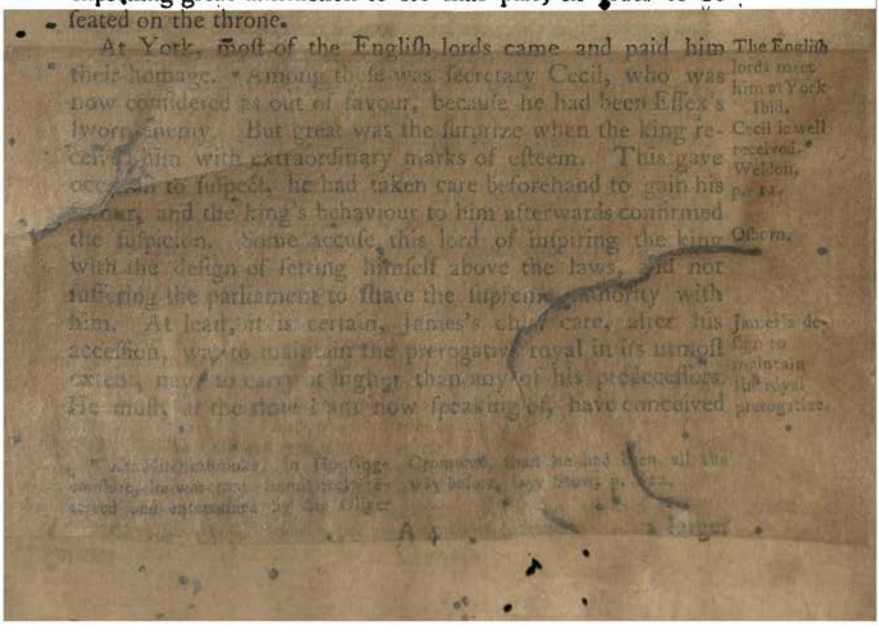
parting

paring for his journey, and accordingly he left Scotland the 5th of April, eleven days after Elizabeth's death. The principal Scotch lords, by whom he was attended into England, were the duke of Lenox, the earl of Mar, the lord Hume, and the lord Kinlofs, with ſeveral others of leſs diſtinction, but who afterwards were promoted to Engliſh honours and dignities. He ſpent above a month in his journey from Edinburgh to London *, where he arrived the 7th of May. He had no ſooner entered England, but the people ſtrove to demonſtrate their reſpect by magnificent entertainments in all the towns he paſſed through. Such were their acclamations, their wiſhes for his proſperity, their praiſes and joy for his arrival, that an honeſt plain Scotchman could not forbear ſaying, "This people will ſpoil a gud king." Mean while, the multitudes which flocked from all parts to ſee their new ſovereign, grew at laſt ſo troubleſome to him, that he was forced to ſet bounds to their curioſity by a proclamation. This was very ſurpriſing to the people, who did not underſtand that a little inconveniency ſhould hinder the king from receiving the reſpects of his new ſubjects. But perhaps this was owing to the king's fear, that among the crowd ſome aſſaſſin might lurk, and attempt upon his life. It may be too, he had a mind to accuſtom his ſubjects not to be too familiar with their ſovereign. However, it did not hinder the people from paying him every where the reſpect due to him, and expreſſing great ſatisfaction to ſee him paſs, in order to be ſeated on the throne.

James I. 1603.

He is received with joy. Stow. Speed. Wilſon, p. 662.

Proclamation to hinder the people from flocking to him. R. Coke's Detec.



At York, moſt of the Engliſh lords came and paid him their homage. Among theſe was ſecretary Cecil, who was now conſidered as out of favour, becauſe he had been Eſſex's worſt enemy. But great was the ſurprize when the king received him with extraordinary marks of eſteem. This gave occaſion to ſuſpect, he had taken care beforehand to gain his favour, and the king's behaviour to him afterwards confirmed the ſuſpicion. Some accuſe this lord of inſpiring the king with the deſign of ſetting himſelf above the laws, and not ſuffering the parliament to ſhare the ſupreme authority with him. At leaſt, it is certain, James's chief care, after his acceſſion, was to maintain the prerogative royal in its utmoſt extent, nay to carry it higher than any of his predeceſſors. He muſt, at the time I am now ſpeaking of, have conceived

The Engliſh lords meet him at York Ibid. Cecil is well received. Wilſon, p. 11. Osborn.

James's deſign to maintain the royal prerogative.

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The Engliſh lords meet him at York. Ibid.

Cecil is well received. Wilſon, p. [illegible]

Oſborn.

James's deſign to maintain the royal prerogative.

* At Hitchinbrooke, in Huntingdonſhire, he was more handſomely received and entertained by Sir Oliver Cromwell, than he had been all the way before, ſays Stow, p. [illegible]

of Norfolk's family, plainly ſhowed what he thought of Elizabeth's treatment of that duke and his houſe. It was not in this alone that he expreſſed his reſentment againſt the late queen. Upon all occaſions he affected to ſhow, it was only out of policy that he had, whilſt ſhe lived, concealed his averſion for her. The moſt notable mark he gave of it was, that he neither went into mourning himſelf, nor would admit any perſon to his preſence in a mourning-habit.

James I. 1603.

and refuſes to go into mourning for Elizabeth.

From the king's arrival in England to his departure from Theobald's, he made about two hundred knights, and ſome days after his coming to London, he made many more. As Elizabeth had been ſparing in the diſtribution of honours, with which ſovereigns are wont to reward the merit and ſervices of their ſubjects, her ſucceſſor on the contrary, beſtowed them with a liberal, or rather profuſe hand. Never had the like number of knights, barons, and earls been made in any former reign. This occaſioned a ſatirical libel, entituled, " A help for weak memories to retain the names of " the nobility [k] ". The truth is, James made ſo many knights and peers, particularly in the firſt years of his reign, that ſuch a help was very neceſſary. Indeed it is pretended, the current of honour was ſo ſtopped in Elizabeth's reign, that ſcarce a county had knights enough to make a jury [l].

He is laviſh of honours and dignities. Wilſon. Stow. Weldon.

Wilſon.

Echard.

Beſides the three Howards, Thomas Sackville, lord Buckhurſt and high treaſurer, was made earl of Dorſet; Sir Robert Cecil was at firſt created baron of Eſſingdon, then viſcount Cranburne, and afterwards earl of Saliſbury; and Philip Herbert, the earl of Pembroke's brother, was made earl of Montgomery. I confine myſelf to theſe, becauſe their names

May 20. July 21.

[illegible] young. 2. Elizabeth, [illegible] ard Stafford [illegible], by whom he had Henry [illegible] Surrey, beheaded 13. Henry VIII. and Thomas, created viſcount [illegible], 1. Elizabeth. —— The [illegible] Henry married Frances, [illegible] John de Vere earl of [illegible] had Thomas the [illegible] duke of Norfolk, (reſtored 1. Mary) and beheaded for attempting to marry the queen of Scots) and Henry made earl of Northampton, 1. James I. —— The [illegible] Thomas had two wives, 1. Mary, daughter and [illegible] of Henry [illegible] Arundel, who [illegible] mother of Philip earl of Arundel. Margaret, daughter of Thomas lord Audley, and mother of Thomas, [illegible] earl of Suffolk, 1. James I. [illegible] William made lord Howard of Na[illegible]worth-caſtle, 1. James I. —The foreſaid Philip, earl of Arundel, had a ſon named Thomas, who was reſtored, 1. James I. This Thomas was father, 1ſt. of Henry. 2. of William, created viſcount Stafford in 1640. —— The [illegible] was father of Thomas, the [illegible] duke of Norfolk, 13. [illegible] and of Henry created earl of Norwich in [illegible]. —— The aforementioned Thomas earl of Suffolk had ſeven ſons; [illegible] who ſucceeded [illegible] Thomas created earl of Berkſhire 1629. 7. Edward made lord Howard of [illegible] —— The aboveſaid William lord Howard of Naworth-caſtle, was father of Philip, and he of William, who was father of Charles created earl of Carliſle, in [illegible]. Dugdale's Baron. [illegible]

[k] It was only a [illegible] up in St. Paul's. Wilſon, p. 665.

[l] Rapin by miſtake ſays, it [illegible] parliament.

moſt

James I. 1603. most frequently occur in the beginning of this reign [m]. I must also add, that the earl of Southampton who had been condemned to dye, and the earl of Eſſex's ſon, were reſtored to their eſtates and honours before the king reached London. But the lords Grey, Cobham, Carew [n], and Sir Walter Raleigh, who had been enemies to the earl of Eſſex, were very coldly received by the king. Theſe four courtiers of Elizabeth had not a little contributed to the earl of Eſſex's death, as well as ſecretary Cecil; but Cecil, as I obſerved, had wiſely gained the king's favour. Nothing could more plainly ſhow that the king conſidered the earl of Eſſex as his martyr, as he himſelf called him, than his gracious reception of the earl of Southampton when that lord came to wait on him. This was publicly owning that he approved of theſe two lords conſpiracy, the intent of which was to ſet him on the throne before the queen's death. This gained him no credit with the diſintereſted. But from that time he began to liſten to the flatteries of his courtiers, who extolled all his actions to the ſkies, and that continued but too much throughout his whole reign.

April 10. Camd. Ann. How James coldly receives Eſſex's enemies. Wilſon.

He has a great idea of the power of kings. R. Coke.

King James, with good natural parts, had a great ſhare of learning. He was able to form the plan of a good government, the general maxims whereof he perfectly knew. But his averſion to war, his weakneſs for his favourites, certain prejudices he had imbibed, wherein all that approached him helped to confirm him, ever hindred him from putting his theory in practice. He was perſuaded, that the authority of ſovereigns over their ſubjects was unlimited, and that all monarchical government ought to be abſolute, not conſidering that theſe maxims could not be applied to the government of England, without deſtroying the conſtitution. Moreover he was ſtrongly prepoſſeſſed in favour of his own merit and

[m] Beſides theſe, he made Sir Robert Sidney baron of Penhurſt, Sir William Knolles baron of Grayes, and Sir Edward Wotton baron of Marley. And afterwards, while preparations were making for his coronation, which was performed the 25th of July, in the heat of a plague, he created Sir Thomas Egerton (lord chancellor) baron of Ellesmere, Sir William Ruſſel baron of Thornaugh, Sir Henry Grey baron of Groby, Sir John Peyte baron of Writtle, Sir John Harrington baron of Exton, Sir Henry Danvers baron of Dantſey, Sir Thomas Gerard baron of Gerard-Bromley, Sir Robert Spenſe of Worm Leighton. Wilſon, 664. Camd. Ann. p. 641.

[n] There was no ſuch lord as the lord Carew, Sir George Carew, (who had ſerved in Ireland three years, and wrote an account of the memorable paſſages which happened there in that time) was now in favour, and one of thoſe that were ſent to fetch the queen; he was made baron of Chipton, 3. J. and earl of Totneſs, 1 Car. I. Dugdale's Baron. vol. ii. p. 423. Rapin.

capacity. As soon as his courtiers discovered his genius and character, they failed not to attack him in the most sensible part. That is, they took all occasions to applaud his wisdom, learning, parts, and to talk in the highest strain of the regal power. As this pleased him infinitely, so it was the best way to gain his favour. Hence arose several expressions little known in the former reigns, but which were common in this. The king was called the Solomon of the Age, and stiled his Sacred Majesty, and these flattering titles, which he greedily received, confirmed him the more in his prejudices. He had one amongst the rest which greatly influenced his whole administration. And that was, he verily believed he was come to the crown of England solely by hereditary right; and could not bear, it should be thought he was obliged to queen Elizabeth, or that his title proceeded from any act of parliament. If this had been only a speculative notion, it would not have much disturbed the English. But he drew from this principle terrible consequences, tending to no less than arbitrary power, and of course to the subversion of the English constitution. From his being king by hereditary right he inferred, that his will ought to be the sole rule of the government, and considered as undeniable truths, all the wild assertions of certain writers concerning the regal power. This pretended hereditary right, with its consequences, were the fountain of the divisions which began in this reign, between the king and parliament, and which continued during the three following reigns. This also gave birth to the tory and whig factions, who worry one another to this very day. It is requisite therefore, for the reader's information, to observe, before we proceed, that this hereditary right by which James I. pretended to reign, was not so indisputable as he then did, and as many still do, imagine it.

James I. 1603.

He is very much flattered upon that account. Coke, p. 8.

He is a great asserter of hereditary right. R. Coke.

From whence he draws terrible consequences. Welwood.

In the first place, no law can be produced on which may be founded the hereditary succession of the crown of England. Secondly, there are many precedents in the English history which show that the parliament assumed a power to dispose of the crown, and settle the succession without any regard to the next heir. In the third place, more kings, since the conquest, have mounted the throne by virtue of acts of parliament, [illegible] means, than by hereditary right. The [illegible] namely, William the Conqueror, William [illegible] and Stephen [illegible] certainly came not [illegible] right. [illegible] it then that the [illegible] hereditary? It is [illegible] maintain [illegible] out the [illegible] the fourth place, of all

Remarks on the succession to the crown of England.

James I. 1603. all the kings from William the Conqueror to James I. there was not one who had leſs right to the crown than Henry VII. before he was confirmed by the parliament °. It was therefore from the parliament's confirmation, rather than from Henry the Seventh's hereditary right, that James I. could derive his own title. Laſtly, if ſome inſtances may be produced of kings ſucceeding from father to ſon, and if from thence it be inferred, it was by hereditary right, it will alſo be eaſy to ſhow that this right vaniſhes when traced to the ſource. For example, if it be ſuppoſed that Elizabeth, Mary, Edward VI. and Henry VIII. came to the crown by hereditary right, though there would be much to be ſaid concerning the two queens, the fountain of this right ſprings from Henry VII. who was heir neither of the houſe of York, nor the houſe of Lancaſter. Henry VI. and Henry V. ſucceeded from father to ſon, to Henry IV. who was not the next heir of Richard II. Edward III. could not ſucceed Edward II. his father, who was yet alive, by hereditary right. Edward II. Edward I. and Henry III. form the longeſt hereditary ſucceſſion from father to ſon that occurs in the Engliſh hiſtory; but they derived their right from John Lackland, who certainly was not Richard I's next heir. I paſs over in ſilence the former kings, becauſe the thing is too evident to need any farther explication. Thus of twenty-three kings from the conqueſt to James I. above one half at leaſt did not aſcend the throne by hereditary right. As for thoſe who ſucceeded from father to ſon, and may be ſuppoſed to have reigned by hereditary right, they could ſupport their right of ſucceſſion only by acts of parliament, adjudging the crown to ſome one of their anceſtors, contrary to hereditary right. How then can the hereditary ſucceſſion of the crown of England be indiſputably eſtabliſhed? It follows from what has been ſaid, that nothing is more uncertain than the right by which the kings of England reigned from the conqueſt, to the time of James I. ſince it is not poſſible to lay down any undoubted principle upon this head. It is much eaſier to combat all the different opinions concerning the ſucceſſion, than to eſtabliſh any one by ſolid and undeniable reaſons. I ſhall add here in confirmation of what I have ſaid, that the kings who were reckoned the wiſeſt and moſt able, took care to have their titles confirmed by the parliament, when they believed them liable to any objections. So James I. in reſolving to eſtabliſh this pretended hereditary right, was the firſt cauſe of the troubles which afflicted England, and which are not yet ceaſed.

° See the reigns of Richard III. and Henry VII. Rapin.

This

James I. 1603.

This prince's choice of the miniſters who were to manage the public affairs, greatly conduced to cheriſh his high conceit of his perſonal qualities, and of the regal authority. The firſt was ſir Robert Cecil, afterwards earl of Saliſbury: this lord, who had been Eſſex's ſworn enemy, knowing how much the king was concerned in that earl's diſgrace, found no better way to keep in his favour than by flattering him continually, and making his court to him by talking of kingly government according to his notions. He was accuſed at leaſt of inſpiring him with ſentiments very diſadvantageous to the people and parliament. He was in other reſpects a man of a great genius, conſummate prudence, vaſt capacity, and perfectly acquainted with the ſtate and intereſt of the nation. The earls of Suffolk and Northampton, the one lord chamberlain, and the other lord keeper, were much inferior to the earl of Saliſbury in parts and ability. But it is pretended they were papiſts in their hearts; and as the catholic religion could be reſtored in England but by an arbitrary power, they earneſtly laboured to indulge the king in his notions concerning the regal authority. To theſe three lords the king chiefly committed the management of his affairs. All the reſt of the courtiers followed the ſame method, and emulouſly ſtrove to gain the king's favour by a blind ſubmiſſion to his will.

The king's miniſters flatter him greatly. Oſborn. Weldon.

Weldon.

Shortly after the king's arrival at London, he ſent a numerous train of lords and ladies [p] into Scotland to attend the queen and his children who were ready to come to him. He had three children, namely, Henry nine years old, Elizabeth, and Charles [q]. This laſt being indiſpoſed, was left in Scotland till September the next year.

He ſends for the queen and his children, May 2. Spotiſwood. p. 477. Stow. p. 823.

Whilſt the queen was on her journey, the king remembered he had complained to Elizabeth of Valentine Thomas, who had ſlandered him, and was now in priſon. It is not known wherein this ſlander conſiſted, but whatever it was, about a month after the king's arrival, Thomas was ordered to be brought upon his trial, and received ſentence of death for conſpiring againſt Elizabeth and ſome of her council [r].

He gets Thomas hanged. June 4. Camden. Annal.

About

[p] The earls of Suſſex and Lincoln, the lords Compton and North, ſir George Carew, the counteſſes of Worceſter and Kinſwell, lady Anne Herbert, daughter of the earl of Pembroke, the lady Scrope and lady Rich, wives of the lords Scrope and Rich, the lady Wallingham. Stow, p. 823.

[q] Henry was born February 19, 1595. Elizabeth, Auguſt 19, 1596. and Charles November 19, 1600. Sandford, p. 560, etc.

[r] About this time Charles lord Montjoy returned out of Ireland, and brought with him Hugh O'Neal earl of Tyrone, or rather Tiffoon, by the Land of Eugenius, being the [illegible] of an Irish county. The lord Montjoy was honourably received [illegible] of his majeſty's privy council, and afterwards made

James I. 1603.

About the ſame time, and before the queen's arrival, the marquis of Roſny came from the king of France, to congratulate the king upon his acceſſion to the crown of England. He had expreſs orders from the king his maſter to appear in mourning with all his train, at his firſt audience: but he was told he would diſoblige the king, who would doubtleſs look upon this affectation as a reproach for not going himſelf into mourning for the queen. The marquis ſays in his Memoirs, that the king being at table, boaſted publicly, that for ſeveral years before Elizabeth's death, it was he properly that governed England, and that no reſolution was taken in the council but by his direction. He would perhaps have been nearer the truth, had he ſaid Elizabeth governed Scotland and himſelf too, without his perceiving it. The French king's deſign was not only to congratulate the king: his chief aim in ſending the marquis of Roſny his favourite, was to hinder James from being gained by the Spaniards, and to renew his defenſive alliance with Elizabeth, in which the ambaſſador ſucceeded to his wiſh.

The marquis of Roſny's ambaſſy. Sully's Memoirs.

Ibid.

Count Aremberg, ambaſſador from the archduke Albert and the infanta Iſabella, ſovereigns of the Low-Countries, was come to London ſome time before; but was ſick, or feigned to be ſo, all the while the marquis of Roſny ſtaid in England. It was not till after the marquis's departure that he deſired the king to ſend one of his privy council to hear the occaſion of his ambaſſy. Cecil, whom the king choſe, was ſtrangely ſurprized to hear nothing from him but compliments. Probably this ambaſſador was ſent into England only to obſerve what paſſed there, and to ſound the new king's intention concerning a peace between England and Spain. James had now ſhown by his proceedings, that he was inclined to peace, ſince without any ſollicitation, he had revoked the letters of marque granted by Elizabeth to ſeveral private perſons [s]. Some time after, Taxis came alſo to London from the king of Spain; and having congratulated the king upon his acceſſion to the crown, deſired commiſſioners might be appointed to treat with him of a peace. This negotiation, which was then only begun, ended at length in a treaty of peace, concluded the next year [t].

Ambaſſy from the archduke. Stow. Speed. Winwood's memorials, tom. ii. p. 3, etc. Weldon. Du Cheſne. Aulicus Coquin.

and from the king of Spain. Weldon.

The

made earl of Devonſhire. Tir-oen himſelf, who had been the cauſe of ſo much blood ſhed, was pardoned, and proclamation made that he ſhould be treated by all men with reſpect and honour. Stow, p. 825. Winwood, p. 664.

[s] This revocation was dated the 23d of June. Rapin.

[t] For the more ſolemn reception of ambaſſadors, was at this time inſtituted a new officer, by the name of Maſter of the ceremonies, with a ſalary of 200l. a year,

The plague, which began to break out in December, increaſing at London during the hot weather, the king retired for ſome time to Wilton, the earl of Pembroke's ſeat, near Saliſbury. James I. 1603.

The king retires to Wilton. Weldon.

Whilſt the court was at Wilton, a conſpiracy, or rather the plan of a conſpiracy, was diſcovered, the authors whereof were Thomas lord Grey of Wilton, Henry Brooke lord Cobham, ſir Walter Raleigh, George Brook, two prieſts Watſon and Clark, and ſome others [u]. The deſign was to place on the throne Arabella Stuart, the king's couſin-german. To that end the lord Cobham was to treat with the archduke at Bruſſels, and to try to obtain ſix hundred thouſand crowns, of which Raleigh was to have ſeventy thouſand. Cobham was alſo to carry Arabella's letters to the archduke, the king of Spain, the duke of Savoy, wherein ſhe ſhould promiſe to marry the perſon they ſhould name, and to grant a full toleration to the catholics. It was farther agreed, that the lord Grey [w] ſhould aſk the king's leave to raiſe two thouſand men for the ſervice of Holland, and with theſe troops ſhould ſeize his perſon. But this was only a project, unexecuted in every point except that ſome of the conſpirators had conferred with count Aremberg. It is thought the count occaſioned this plot to deſtroy Raleigh, who of all England was the man moſt dreaded by the Spaniards, and that afterwards he himſelf informed the king of it [x]. However, the conſpirators

Plot diſcovered in favour of Arabella Stuart. Camden. Annal. Wilſon. Stow. Speed. Weldon.

a year, of whom the firſt was ſir Lewis Lewkenor. Stow, p. 824. Rymer's Fœdera, tom. xvi, p. 637.

u As ſir Edward Parham (who was acquitted by his jury), Bartholomew Brookeſby, Anthony Copley, and ſir Griffith Markham, who was condemned and reprieved with Cobham, Grey, and Raleigh, juſt as they were going to loſe their heads. See Stow, p. 832. Rapin, by miſtake, reckons alſo Carew. See note P, above.

w Not Cobham, as Rapin ſays. See Stow, etc.

x The beſt account that can be given of this obſcure affair is this: ſir John Forteſcue, ſir Walter Raleigh, the lord Cobham, and ſome others, deſtined that king James might be tied to ſome articles at his acceſſion to the crown, on account of the known feud between the two nations; but by the artful management of the lord treaſurer Buckhurſt, and the ranting proteſtations of the earl of Northumberland, who threatened to bring the king in by the ſword, all articles and conditions to bind him were dropped. However, for this propoſal, Raleigh and the reſt were frowned upon by the king, and at the king's coming to London, forbid their attendance at court. This undoubtedly occaſioned diſcontents among them, and probably might induce them to uſe diſaffected expreſſions, and keep ſuſpicious company. But, "what their treaſon was, as "no man could then tell, ſo it is with "ſo dark a comment that poſterity will "never underſtand the text, or remember any ſuch treaſon. It is true "ſome loſt their lives, yet the world "was never ſatisfied of the juſtice. — "It was then believed an errand trick "of ſtate, to overthrow ſome and diſable "others, knowing their ſtrong abilities might others follow to overthrow "Cecil earl of Saliſbury, for they were "intimate in all his ſecret councils for "the ruin of the earl of Eſſex. Saliſbury in this had public benefit; "firſt,

James I. 1603.

tors being apprehended, were tried at Wincheſter in November following, and condemned to die. Raleigh was found guilty upon the written evidence of one ſingle witneſs, namely, the lord Cobham, even without being confronted, contrary to the expreſs law of the land [y]. Only George Brook however, the lord Cobham's brother, and the two prieſts were executed, the king having ordered the reſt to be ſent back to priſon, but without giving them a pardon. The lord Grey died ſoon after [z], and the lord Cobham obtained his liberty at laſt [a]: but ſir Walter Raleigh remained twelve years in the Tower, where he wrote a Hiſtory of the World, much eſteemed in England. I ſhall have farther occaſion to ſpeak of him in the courſe of this reign.

Nov. 15, 17, 26. Raleigh is condemned. Weldon. Stow. Camden. Annal. State Trials. Nov. 29. Dec. 5. He remains twelve years in the Tower.

Not long after the diſcovery of the plot, the king and queen were crowned at Weſtminſter with the uſual ſolemnity, on the 25th of July, St. James's day [b]. Immediately after the coronation, the king iſſued out a proclamation expreſly forbidding all perſons, who had any buſineſs at court, to repair thither till winter, by reaſon of the plague which raged then exceedingly, and ſwept away above thirty thouſand [c] in London only. Proclamations were much more frequent in this reign than in the former ones: in the eight or nine firſt months, there were no leſs than twelve.

The king and queen crowned. Stow. p. 827, 828. Camden. Annal.

Proclamations very frequent. Stow.

I juſt mentioned the hopes conceived by the papiſts and puritans of ſome happy change in this new reign. The papiſts could not believe that a prince, who had never expreſſed any hatred of them, ſhould ſuddenly alter his mind, and chuſe to tread in the ſteps of Elizabeth. The puritans imagined that

The catholics preſent a petition to the king. Coke.

" firſt, in ridding himſelf of ſuch as " he feared would be thorns in his " ſides; ſecondly, in endearing him- " ſelf to the king, by ſhewing his dili- " gence and fidelity for his ſafety." Oſborn, § 3. Wilſon, p. 663. Weldon, p. 28, etc.

[y] Some affirm, the lord Cobham was perſuaded to ſign a blank, whereon this evidence was afterwards ſet down. Rapin. See Weldon, p. 35, etc. But Goodman, in his Aulicus Coquinariæ, p. 78. denies Weldon's account.

[z] The lord Grey remained a priſoner the reſt of his days, but did not die till the year 1614.

[a] But lived many years in miſery, being deprived of his eſtate: which, as Oſborn well obſerves, is a puniſhment contrary to the law of God and nature, who ſaith, " the perſon offending ſhall " only die," and the puniſhment deſcend to the innocent children. He died louſy for want of apparel and linen; and had ſtarved, had not one, ſometime his laſt-dreſs in court, relieved him with ſcraps, in whoſe houſe he died, which was ſo mean, that he was forced to creep up a ladder into a little hole to his chamber. A hard fate, for a man who was poſſeſſed before his arraignment of 7000 l. a year, and 30,000 l. in money. In his perſon ended that noble family, which had flouriſhed for many ages. Sir Griffith Markham was alſo releaſed and retired beyond ſea, where he lived in a mean condition. Weldon, p. 37. Oſborn, § 6.

[b] See the names of the knights of the Bath made on this occaſion, in Stow, p. 827.

[c] Thirty thouſand five hundred and ſeventy-five, in one year. Stow, p. 833.

James

James having been educated in their religion and professed it all his life till his arrival in England, would be propitious to them. They expected he would at least reform good part of the faults they found in the church of England. Both were deceived, but the last much more than the first. Of the catholics, James hated only the Jesuits, and such as were too servilely attached to the court of Rome and the prerogatives of the pope. But on the other hand, he saw it would not be in his power to grant a full toleration to the other catholics, though he should be inclined to it: for that reason he believed it adviseable not to discover too openly his thoughts of them. Thus the catholics, who had expected at least a full toleration of their religion, were very much surprized when, upon presenting a petition to the king on that occasion, they received for answer, that he thought himself obliged to support what he found established in the kingdom. James I. 1603. His answer.

The puritans believing to have more reason to hope than the catholics, presented also their petition [d], not only for a toleration, but moreover to pray the king that sundry articles of the church of England, with which they could not comply, might be reformed. The bishops failed not strenuously to oppose the petition, and to intreat the king to leave religion as he found it at his accession to the crown, without any innovation. This was what the king fully intended. When he first came into the kingdom, he not only went over to the church of England, but even meant to force the puritans to conform; and to be revenged on them for what the presbyterian synods had made him suffer in Scotland. Besides, the government of the church by presbyters too much resembled a commonwealth to be agreeable to a prince so strongly prepossessed in favour of monarchy. The government of the church of England was much more conformable to his principles [e]. Mean while, not to appear at first too partial, and to make believe he would not be determined without hearing the arguments of both sides, he appointed a conference between the two parties, wherein he would be moderator himself. In the mean time he published a proclamation, commanding both

The petition of the puritans. Fuller. Speed. Neal.

The king's design.

Burnet. Coke.

He appoints a conference between the episcopalians and puritans.

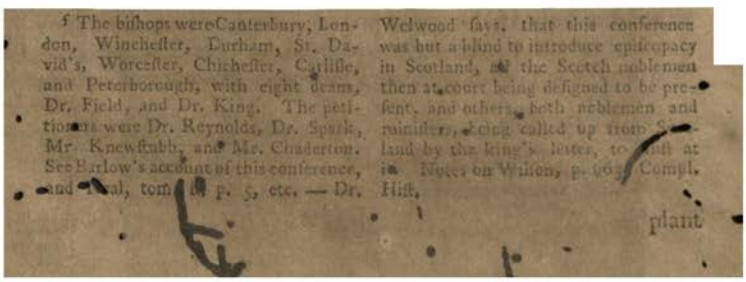
d This petition was said to be signed by a thousand persons, and was therefore called the Millenary Petition: though it was signed but by eight hundred out of twenty-five counties. See Neal, tom. ii. p. [illegible]

e Wilson says, that the king thought if church-power were in the hands of many, it would not be so easy to be managed, as when in the hands of one, who had dependence upon him, and with whom he might better grapple: and therefore the king would often say, "No bishop, no king," p. 665. Coke, p. 35.

James I. ——— sides to remain quiet till matters were regulated as he ſhould judge proper.

1604. Conference at Hampton court. Barlow. Fuller. Spotiſwood. Wilſon. Ecke, p. 7.

The conference between ſome biſhops and preſbyterian miniſters was held at Hampton Court, the 14th, 16th, and 18th of January, 1604 f. The king let the miniſters ſee immediately what they were to expect: he declared, "That following the example of all Chriſtian princes, who uſually began their reigns with the eſtabliſhment of the church, he had now, at his entering upon the throne, aſſembled them for ſettling an uniform order in the ſame, for planting unity, removing diſſentions, and reforming abuſes, which were naturally incident to all politic bodies. And that he might not be miſapprehended, and his deſigns in aſſembling them miſconſtrued, he farther declared, that his meaning was not to make any innovation of the government eſtabliſhed in the church, which he knew was approved of God, but to hear and examine the complaints that were made, and remove the occaſion of them; therefore he deſired the petitioners to begin, and to ſhow what were their grievances." Dr. Reynolds being the ſpokeſman, reduced what he had to ſay to two heads, the firſt whereof related to the doctrine, and the ſecond to the diſcipline of the church. As to the doctrine, he ſaid, the articles of the church of England were in ſome places obſcure, and in others defective. Then he mentioned the articles he ſpoke of, and deſired that they might be ſo explained as to leave no ambiguity, and that what was defective might be ſupplied. Whereupon a diſpute was begun, wherein the king always replied, anſwering the miniſters arguments himſelf, one while with reaſons, another while with authority and threats. The miniſters ſeeing the king become their adverſary, which they did not expect, choſe to be ſilent, and feigned to be ſatisfied. Then the king upbraided their preſumption, ſaying, they ought not to have importuned him for ſuch trifles. Indeed, this was not their great grievance: the government and external worſhip of the church was what troubled them moſt. The points they inſiſted upon were, 1. That ſufficient care was not taken to



f The biſhops were Canterbury, London, Wincheſter, Durham, St. David's, Worceſter, Chicheſter, Carliſle, and Peterborough, with eight deans, Dr. Field, and Dr. King. The petitioners were Dr. Reynolds, Dr. Sparke, Mr. Knewſtubb, and Mr. Chaderton. See Barlow's account of this conference, and Neal, tom. [illegible] p. 5, etc. — Dr. Welwood ſays, that this conference was but a blind to introduce epiſcopacy in Scotland, as the Scotch noblemen then at court being deſigned to be preſent, and others, both noblemen and miniſters, being called up from Scotland by the king's letter, to aſſiſt at it. Notes on Wilſon, p. 60. Compl. [illegible]

plant

plant good and learned paſtors in the churches, to the great prejudice of the people. 2. That ſubſcription was required to the Common Prayer Book, wherein they ſaw ſeveral things which their conſcience would not ſuffer them to receive. 3. That the clergy were liable to the cenſures of lay-men, by means of the high-commiſſion [s]. 4. They objected againſt the croſs in baptiſm, the ring in marriage, the ſurplice, with ſome other things, which they looked upon as ſuperſtitious. There were warm diſputes upon all theſe points, wherein the king took care to reply to the miniſters himſelf, without giving the biſhops time to ſpeak. The king's conduct was ſo agreeable to the biſhops and their friends, that the lord chancellor Egerton, unwilling to miſs ſo fair an opportunity to flatter the king, ſaid aloud, "He had often heard that the "prieſthood and royalty were united, but never ſaw it veri- "fied till now." Whitgift, archbiſhop of Canterbury, car- ried his flattery ſtill farther, and ſaid, "He verily believed "the king ſpoke by the ſpirit of God." After this the king diſmiſſed the aſſembly, and ordered the biſhops and miniſters to meet again in three days at the ſame place.

James I. 1604.

The king is highly flattered. Echard. Spotiſwood. Wilſon. Coke.

On the 18th of January, the day appointed by the king, the biſhops were called firſt into his preſence, and delivered to him an explanation of the Liturgy. Then the king queſtioned them about excommunication, the high-commiſſion, the oath ex officio, the ſubſcription to the Common Prayer Book; and approving their anſwers, ordered the miniſters to be called in, and the writing preſented by the biſhops to be read before them. The miniſters believing it was in vain to make any reply, kept ſilence. Nay, it is pretended that ſome of them declared their doubts were ſufficiently cleared. However, the king ſuppoſing they had nothing to object, and had reaſon to be ſatisfied with the condeſcenſion that was ſhown them, exhorted the biſhops to treat with lenity ſuch as were of a contrary opinion, and commanded the miniſters to preſerve the unity of the church, and beware of obſtinacy and diſobedience. "Obedience and humility (added he) are the "marks of good and honeſt men; ſuch I believe you to be, "but it feareth me that many of your ſort are humorous, "and too buſy in the perverting of others. The exceptions "taken againſt the Communion Book, as I perceive, are mat- "ters of mere weakneſs, and they who are diſcreet will be

The king's threats to the preſbyterian miniſters. Spotiſwood, P. 479.

[s] The high-commiſſion court was inſtituted and founded upon the ſtatute 1 Eliz. cap. 1. and conſiſted of a certain number of commiſſioners, who exerciſed the king's eccleſiaſtical ſupremacy. This court, for divers reaſons, was utterly aboliſhed by the ſtatute made 16, 17 Car. I. cap. 10.

James I. 1604.

" gained with time and by gentle perſuaſions; or if they be " indiſcreet, better it is to remove them than to have the " church troubled with their contentions. For the biſhops, " I will anſwer, that it is not their purpoſe preſently and " out of hand to enforce obedience, but by fatherly admoni- " tions and conferences to induce ſuch as are diſaffected. " But if any be of an oppoſite and turbulent ſpirit, I will " have them enforced to a conformity. Neither tell me, " that the wearing of a ſurplice, or uſing the croſs in bap- " tiſm, will diminiſh the credit of miniſters that have for- " merly diſallowed the ſame; for that is juſt the Scottiſh ar- " gument, when any thing was concluded that ſorted not " with their humour, the only reaſon why they could not " obey was, " That it ſtood not with their credit to yield, " having been ſo long of a contrary opinion." I will none " of that, but that a time be limited by the biſhops of every " dioceſe to ſuch, and they that will not yield, whatſoever " they are, let them be removed: for we muſt not prefer the " credit of a few private men to the general peace of the " church."

In this manner paſſed the pretended conference, whoſe ſole end was to make the public believe, the miniſters were convinced and fully inſtructed; that therefore it was out of pure obſtinacy that they ſtill ſeparated from the church. Hence it was natural to infer, that to conquer their obſtinacy, it was requiſite to uſe ſome ſeverity. And this was what the king plainly intimated, when he ſaid, " he would anſwer for the " biſhops, that it was not their deſign immediately to enforce " obedience," and when he afterwards added more clearly, " that after ſuch a time, they ſhould be dealt with in another " manner." But this conference wrought not the conviction of the puritans; and all the fruit the king reaped by it was, to ſhow them how much they were miſtaken in depending upon his protection.

Whitgift dies. Wilſon. p. 665. Bancroft ſucceeds him.

Whitgift was a mild and peaceable man, who would have been very glad to reclaim the puritans by gentle methods, agreeable to the goſpel, but he died quickly after, on the 29th of February. He was ſucceeded by Richard Bancroft, a prelate of a very different character, who, inſtead of dealing gently with the puritans, never ceaſed incenſing the king againſt them, and doing them all the miſchief he could. Herein he was but too cloſely imitated by the reſt of the biſhops, who found a double advantage in deſtroying the puritans. In the firſt place they made their court to the king, who hated them mortally. Secondly, they preſerved the hierarchy, which the

He perſecutes the puritans. Neal. Oſborn.

puritans

puritans were desirous to overthrow. The persecution, which these suffered whilst Bancroft was at the head of the clergy, induced many families to withdraw out of the kingdom, to enjoy elsewhere liberty of conscience, denied them at home[g]. Bancroft is also accused of having been one of the most zealous to instil into the king the maxims of arbitrary power. James I. 1604.

The 22d of February the king published a proclamation, commanding all jesuits and other priests having orders from any foreign power, to depart the kingdom[h]. This proclamation was so worded, that the king was extremely careful to show, he did not banish the jesuits in hatred to the catholic religion in general, but only on account of their attachment to the doctrine of the pope's unlimited power over crowned heads. This is what the king very diligently observed throughout his whole reign. He constantly affected to consider the Romish religion so far only as it might be contrary to civil government, that is to say, with respect to the pope's unlimited power. As for the other doctrines, he was very willing to allow the catholics to believe what they pleased, provided they renounced the belief of the pope's superiority over kings. He was persuaded this equity would procure him a peaceable reign: but he had too much reason afterwards to be convinced, that he was taking wrong measures, and yet would never alter his conduct. Most of the catholics were not satisfied with so limited a toleration, and the zealous protestants represented the king as a papist. It is certain, he gave occasion to think he was inclined to the catholic religion, by his constant care to show, he was displeased only with the pope's absolute power, and valued not the other doctrines, which distinguished the two religions. This obliged him to take, in favour of the moderate catholics, some steps which rendered him very suspicious to many protestants[i], whilst others considered his zeal against the presbyterians as an undeniable evidence of his attachment to the protestant religion.

The jesuits are banished. Act. Pub. xvi. p. 572. Stow.

The king's regard for the catholics. Burnet.

The proclamation against the jesuits was soon followed by another, enjoining the puritans to conform to the worship of

Proclamation against the puritans March 5. Wilson. Act. Pub. xvi. p. 574. Stow. Speed.

g Most of them went over to Holland. See Neal, tom. ii. p. 47. There were but forty-nine ministers all over England turned out for non-compliance. See Spotiswood, p. 479.

h By the 19th of March. Those that were in prison were to be shipped off at some convenient port. Rymer, p. 573. In this proclamation the king acknowledges himself personally much beholden to the bishop of Rome for his kind offices and private temporal carriage towards him in many things, and says, he is ready to requite the same towards him as a secular prince.

i Bishop Burnet observes, that from the year 1606, to his dying day he continued always writing and talking against popery, but acting for it. History of his own Time, p. 12.

James I. 1604. the eſtabliſhed church [k]. There was not ſeen here the ſame care to juſtify the king's conduct with reſpect to this ſort of perſecution. The king intimated in the firſt, that he would have regard to the tender conſciences of ſuch catholics as could not comply with the received doctrines of the church of England. But in this, there was not the leaſt indulgence for the tender conſciences of the puritans. Theſe were all a ſet of obſtinate people who deſerved to have no favour ſhown them!

Sundry abuſes ſuppreſſed, May 7. Wilſon. Coke.

As the parliament was to meet the 19th of March, the king thought it neceſſary to gain the affection of his ſubjects by ſuppreſſing ſome abuſes introduced about the end of the late reign, tending to the oppreſſion of the people. This he did by ſeveral proclamations againſt certain monopolies; againſt protections frequently hindering the courſe of juſtice; againſt ſalt-petre men, who dug up people's houſes, unleſs they were well feed; againſt the king's purveyors, who ſeized any man's horſe and cart, under colour of employing them for the king, and then excuſed them for money. Among theſe proclamations, there was one not ſo acceptable to the people, namely, that againſt hunting, on very ſevere penalties to the offender. This reign was a reign of proclamations. The king and his miniſters would have been glad to have had them regarded as laws; but neither the judges nor people were yet accuſtomed to it.

Proclamation againſt hunting. Coke. Stow. Wilſon.

Another to make the 5th of Auguſt a holy-day. Wilſon. Weldon.

Shortly after, another appeared, appointing the 5th of Auguſt to be kept as a holy-day. It was ordered, that every year on that day public thanks ſhould be returned to God in all the churches, for the king's miraculous deliverance in the year 1600, from the conſpiracy of the Gouries, who made an attempt upon his life [l]. This new holy-day was not univerſally liked. Beſides that the occaſion of it happened to the king before his acceſſion to the crown of England, there were people as well in Scotland as England, who had the malice to

[k] That is, to the Common-Prayer Book, which was now reprinted with explanations. See Rymer's Fœd. tom. xvi. p. 565, 574, &c. The chief explanations now added were, the whole Rubrick before private baptiſm; all the latter part of the Catechiſm, from the Lord's Prayer to the end; prayers in the daily Service and Litany for the reſt of the royal family; thankſgivings for rain, fair weather, plenty, peace and victory, deliverance from the plague, &c. Rymer, Ibid. p. 569 &c.

[l] There was not only a yearly feaſt for this deliverance, (whether real or imaginary) but alſo a weekly commemoration, by a ſermon every Tueſday. Weldon ſays, that the wiſeſt of the Scottiſh nation gave little credit to that ſtory, p. 8. And Dr. Welwood, that being in itſelf ſo improbable a thing, and attended with ſo many inconſiſtent circumſtances, it was diſbelieved at the time it was ſaid to have been attempted, p. 19.

affirm

affirm it was only a fiction to cover a real conſpiracy of the king againſt the two Ruthvens or Gouries, who were killed on that occaſion. I don't relate this with intent to blemiſh king James's reputation, or to queſtion the deliverance for which he was pleaſed to thank God, but only to ſhow that from the beginning of his reign in England, there were ſome who had no great opinion of him [m]. James I. 1604. Weldon. Wilſon. p. 667.

As the time of the parliament's meeting approached, the king and queen made their entry into London four days before, not having been able to do it ſooner by reaſon of the plague. The king had need that day of all his patience, nothing being more diſagreeable to him than the ſolemnities which drew a crowd of people about him [n]. Herein he differed from queen Elizabeth, who took a pleaſure in ſeeing her people preſs to behold her, and in hearing their acclamations. The king and queen make their entry into London. March 15. Wilſon. Stow. Speed.

James the Firſt's notion of the Engliſh conſtitution was, as I obſerved, very different from what had been hitherto current. If any of his predeceſſors had been of his opinion, they had, at leaſt, taken care to conceal it, or to ſhow it but on extraordinary occaſions. For his part, he did not think fit to follow their example, ſince he omitted no opportunity to diſcover his thoughts. He was perſuaded, the privileges of the nation and parliament were ſo many uſurpations, or at beſt, but revocable conceſſions of the crown, and gave frequent occaſion to believe, he had formed a deſign to free both himſelf and ſucceſſors from the reſtraint which the laws, cuſtoms, and privileges of the Engliſh nation had laid on his predeceſſors. However, from one end of his reign to the other, he embraced all opportunities to improve his prerogative-royal, to which he ſet no bounds but his will. The firſt public ſtep which diſcovered his ſentiments, was the calling of his firſt parliament, of which I am now going to ſpeak. Both in the writs and the proclamation, he takes upon him James is poſſeſſed with a notion of the extent of the prerogative royal. Welwood. R. Coke. Act. Pub. xvi. p. 561.

m Ereſkin and Ramſey, two of his deliverers, were rewarded with wealth and honour. The firſt was made earl of Kelly, and chief gentleman of the bedchamber to the king; and the ſecond, beſides the title of earl of Holdernaſs, got one of the prime beauties of the kingdom, daughter of the earl of Suſſex. Wilſon, p. 667.

n The ſuburbs and city were one continued ſcene of pageantry. There were ſeven triumphal gates or arches erected in the ſtreets through which he was to paſs from the Tower to Whitehall. It ſeems, he endured this day's brunt pretty patiently, being ſure he ſhould never have ſuch another. But afterwards (ſays Wilſon) in his public appearances, the crowds of people made him ſo impatient, that he often diſperſed them with frowns, not to ſay curſes. His private recreations at home, and his hunting exerciſes abroad, both with the leaſt diſturbances, were his delights. Stow, p. 834, &c. Wilſon, p. 667.

James I. 1604. to deſcribe what ſort of repreſentatives ſhould be elected, not by way of exhortation, as the former kings had done, but by way of command, and as conditions without which they ſhould not be admitted into the houſe. This was directly ſtriking at the commons, whoſe privilege of deciding the validity of elections had never been queſtioned.

Ib. p. 563. "We notifye by theis preſentes, that all retornes and certificates of knights, citizens and burgeſſes, oughte and are "to be brought to the Chauncery, and there to be fyled of "record; and if any ſhall be founde to be made contrarie to "this proclamation, the ſame is to be rejected as unlawful and "inſufficient, and the citie or borough to be fyned for the "ſame; and if it be founde that they have commytted any "groſſe or wilful default and contempt in their election, re"torne or certificate, that then their liberties, according to "the lawe, are to be ſeized into our handes as forfeited; "and if any perſon take upon him the place of a knight, "citizen or burgeſſe, not beinge duely elected, retorned and "ſworne acccording to the lawes and ſtatutes in that behalfe "provided, and according to the purport, effect, and true "meaning of this oure proclamation, then every perſon, ſoe "offending, to be fyned and impriſoned for the ſame."——

Thus the king aſſumed a power not only to enjoin penalties on ſuch as ſhould offend againſt the ſtatutes concerning elections, but alſo to enjoin them by a bare proclamation, the authority whereof he rendered equal to that of the laws. We ſhall ſee preſently this was not done without deſign.

At the opening of the parliament, the king being ſeated on his throne, ſent for the commons as uſual: but as the crowd was great, it happened that ſeveral of the members could not enter. Sir Herbert Crofts, one of the repreſentatives, ſtriving to get in, was rudely thruſt back by one of the king's guards, who knowing him to be what he was, ſaid to him in a jeer, Coke, p. 52. "Goodman burgeſs, you come not here." This affair made ſome noiſe afterwards; but the houſe thought proper to take no notice of it. The commons being entered, the king made a ſpeech to both houſes, which, though very long, deſerves to be inſerted at length, that from ſome certain paſſages may be diſcovered the genius, character and deſigns of this prince.

The king's ſpeech to the parliament. Stow. p. 837. Wilſon. "IT did no ſooner pleaſe God to lighten his hand and relent the violence of his devouring angel againſt the poor people of this city, but as ſoon did I reſolve to call "this parliament, and that for three chief and principal reaſons.

" ſons. The firſt whereof is, (and which of itſelf, although James I.
" there were no more, is not only a ſufficient, but a moſt 1604.
" full and neceſſary ground and reaſon for convening of this aſ-
" ſembly;) this firſt reaſon, I ſay, is, that you, who are here
" preſently aſſembled to repreſent the body of this whole
" kingdom, and of all ſorts of people within the ſame, may
" with your own ears hear, and that I out of mine own mouth
" may deliver unto you, the aſſurance of my due thankful-
" neſs for your ſo joyful and general applauſe, to the declar-
" ing and receiving of me in this ſeat, (which God, by my
" birth-right and lineal deſcent, had in the fulneſs of time
" provided for me;) and that, immediately after it pleaſed
" God to call your late ſovereign, of famous memory, full
" of dayes, but fuller of immortal trophies of honour, out
" of this tranſitory life. Not that I am able to expreſs by
" words, or utter by eloquence, the vive image of mine in-
" ward thankfulneſs, but only that out of mine own mouth
" you may reſt aſſured to expect that meaſure of thankfulneſs
" at my hands, which is according to the infiniteneſs of your
" deſerts, and to my inclination and ability for requital of
" the ſame. Shall I ever? nay, can I ever be able, or ra-
" ther ſo unable in memory, as to forget your unexpected
" readineſs and alacrity, your ever memorable reſolution,
" and your moſt wonderful conjunction and harmony of your
" hearts, in declaring and embracing me as your undoubted
" and lawful king and governour? Or ſhall it ever be blot-
" ted out of my mind, how at my firſt entry into this king-
" dom, the people of all ſorts rid and ran; nay, rather flew
" to meet me? Their eyes flaming nothing but ſparkles of
" affection; their mouths and tongues uttering nothing but
" ſounds of joy; their hands, feet, and all the reſt of their
" members in their geſtures, diſcovering a paſſionate longing,
" and earneſtneſs to meet and embrace their new ſovereign.
" Quid ergo retribuam? Shall I allow in myſelf that which
" I could never bear with in another? No, I muſt plainly
" and freely confeſs here, in all your audiences, that I did
" ever naturally ſo far miſlike a tongue too ſmooth, and di-
" ligent in paying their creditors with lip-payment and ver-
" bal thanks, as I ever ſuſpected that ſort of people meant
" not to pay their debtors in more ſubſtantial ſort of coin.
" And therefore for expreſſing my thankfulneſs, I muſt reſort
" unto the other two reaſons of my convening of this par-
" liament, by them in action to utter my thankfulneſs: both
" the ſaid reaſons having but one ground, which is the deeds,
" whereby all the days of my life I am by God's grace to

" expreſs

James I. 1604. "expreſs my ſaid thankfulneſs towards you, but divided in "this, that in the firſt of theſe two mine actions of thanks "are ſo inſeparably conjoyned with my perſon, as they are "in a manner become individually annexed to the ſame. In "the other reaſon, mine actions are ſuch, as I may either do "them, or leave them undone, although by God's grace I "hope never to be weary of the doing of them.

"As to the firſt, it is the bleſſings which God hath in my "perſon beſtowed upon you all, wherein I proteſt, I do more "glory at the ſame for your weale, than for any particular "reſpect of mine own reputation, or advantage therein.

"The firſt then of theſe bleſſings, which God hath joint-"ly with my perſon ſent unto you, is, outward peace; that "is, peace abroad with all foreign neighbours: for I thank "God, I may juſtly ſay, that never ſince I was a king, I ei-"ther received wrong of any other chriſtian prince or ſtate, "or did wrong to any. I have ever, I praiſe God, yet kept "peace and amity with all, which hath been ſo far tied to "my perſon, as at my coming here, you are witneſſes, I "found the ſtate embarked in a great and tedious war; "and only by mine arrival here, and by the peace in my "perſon, is now amity kept, where war was before, which "is no ſmall bleſſing to a chriſtian commonwealth: for by "peace abroad with their neighbours, the towns flouriſh, the "merchants become rich, the trade doth increaſe, and the "people of all ſorts in the land enjoy free liberty to exerciſe "themſelves in their ſeveral vocations, without peril or di-"ſturbance. Not that I think this outward peace ſo unſe-"parably tied to my perſon, as I dare aſſuredly promiſe to "myſelf, and to you, the certain continuance thereof: but "thus far I can very well aſſure you, and in the word of a "king promiſe unto you, that I ſhall never give the firſt oc-"caſion of the breach thereof; neither ſhall I ever be mov-"ed for any particular or private paſſion of mind, or inter-"rupt your public peace, except I be forced thereunto, ei-"ther for reparation of the honour of the kingdom, or elſe "by neceſſity for the weale and preſervation of the ſame: "in which caſe, a ſecure and honourable war, muſt be pre-"ferred to an unſecure and diſhonourable peace. Yet do I "hope, by my experience of the by-paſt bleſſings of peace, "which God hath ſo long, ever ſince my birth, beſtowed "upon me, that he will not be weary to continue the ſame, "nor repent him of his grace towards me; transferring that "ſentence of king David's, upon his by-paſt victories of war, "to mine of peace; "That that God who preſerved me

"from

" from the devouring jaws of the bear, and of the lyon, and James I.
" delivered them into my hands, ſhall alſo now grant me 1604.
" victory over that uncircumciſed Philiſtine." But although
" outward peace be a great bleſſing, yet it is as far inferior
" to peace within, as civil wars are more cruel and unnatu-
" ral than wars abroad. And therefore the ſecond great bleſ-
" ſing that God hath within my perſon ſent unto you, is peace
" within, and that in a double form: firſt, by my deſcent
" lineally out of the loins of Henry the Seventh, is re-united
" and confirmed in me the union of the two princely roſes
" of the two houſes of Lancaſter and York, whereof that
" king of happy memory was the firſt uniter, as he was alſo
" the firſt ground-layer of the other peace (the lamentable
" and miſerable events, by the civil and bloody diſſention be-
" twixt theſe two houſes, was ſo great, and ſo late, as it
" need not be renewed unto your memories) which as it was
" firſt ſettled and united in him, ſo is it now re-united and
" confirmed in me; being juſtly and lineally deſcended, not
" only of that happy conjunction, but of both the branches
" thereof in any times before. But the union of theſe two
" princely houſes is nothing comparable to the union of theſe
" two antient and famous kingdoms, which is the other in-
" ward peace annexed to my perſon.

" And here I muſt crave your patiences for a little ſpace,
" and give me leave to diſcourſe more particularly of the be-
" nefits that do ariſe of that union which is made in my
" blood, being a matter that moſt properly belongeth to me
" to ſpeak of, as the head wherein that great body is united.
" And firſt, if we were to look no higher than to natural
" and phyſical reaſons, we may eaſily be perſuaded of the
" great benefits that by that union do redound to the whole
" iſland: for if twenty thouſand men be a ſtrong army, is
" not the double thereof, forty thouſand, a double the ſtrong-
" er army? If a baron enricheth himſelf with double as many
" lands as he had before, is he not double the greater? Na-
" ture teaches us, that mountains are made of motes; and
" that at the firſt, kingdoms being divided, and every par-
" ticular town, or little country, as tyrants or uſurpers could
" obtain the poſſeſſion, a ſigniory part: many of theſe little
" kingdoms are now, in proceſs of time, by the ordinance of
" God, joined into great monarchies, whereby they are be-
" come powerful within themſelves, to defend themſelves
" from all outward invaſions, and their head and governor
" thereby enabled to redeem them from foreign aſſaults, and
" puniſh priyate tranſgreſſions within. Do we not yet re-

" member

James I. 1604. "member that this kingdom was divided into ſeven little "kingdoms, beſides Wales? And is it not now the ſtronger "by their union? And hath not the union of Wales to Eng- "land added a greater ſtrength thereto? Which, though it "was a great principality, was nothing comparable in greatneſs "and power to the antient and famous kingdom of Scotland. "But what ſhould we ſtick upon any natural appearance, "when it is manifeſt that God by his almighty providence "hath pre-ordained it ſo to be? Hath not God firſt united "theſe two kingdoms, both in language, religion, and ſi- "militude of manners? Yea, hath he not made us all in "one iſland, compaſſed with one ſea, and of itſelf by nature "ſo indiviſible, as almoſt thoſe that were borderers, them- "ſelves on the late borders, cannot diſtinguiſh, nor know, "or diſcern their own limits: theſe two countries being ſe- "parated neither by ſea, nor great river, mountain, nor other "ſtrength of nature, but only by little ſmall brooks, or de- "moliſhed little walls, ſo as rather they were divided in ap- "prehenſion than in effect; and now in the end and fulneſs "of time united, the right and title of both in my perſon, "alike lineally deſcended of both the crowns, whereby it is "now become like a little world within itſelf, being in- "trenched and fortified round about with a natural, and yet "admirable ſtrong pond or ditch, whereby all the former "fears of this nation are now quite cut off: the other part "of the iſland being ever before now, not only the place of "landing to all ſtrangers that were to make invaſion here, "but likewiſe moved by the enemies of this ſtate, by un- "timely incurſions to make enforced diverſion from their "conqueſts, for defending themſelves at home, and keeping "ſure their back-door, as then it was called, which was the "greateſt hinderance and lett that ever my predeceſſors of "this nation gat, in diſturbing them from their many famous "and glorious conqueſts abroad: "What God hath co- "joined then, let no man ſeparate." I am the huſband, and "all the whole iſland is my lawful wife; I am the head, and "it is my body; I am the ſhepherd, and it is my flock. I "hope therefore no man will be ſo unreaſonable as to think, "that I, that am a chriſtian king, under the goſpel, ſhould "be a polygamiſt and huſband to two wives; that I being "the head, ſhould have a divided and monſtrous body; or "that being the ſhepherd to ſo fair a flock, (whoſe fold hath "no wall to hedge it but the four ſeas) ſhould have my flock "parted in two. But as I am aſſured that no honeſt ſubject "of whatſoever degree, within my whole dominions, is lef[t]

"glad

"glad of this joyful union than I am; ſo may the frivolous James I.
"objection of any that would be hinderers of this work 1604.
"(which God hath in my perſon already eſtabliſhed) be eaſi-
"ly anſwered; which can be none, except ſuch as are either
"blinded with ignorance, or elſe tranſported with malice,
"being unable to live in a well-governed common-wealth,
"and only delighting to fiſh in troubled waters: for if they
"would ſtand upon their reputation and privileges of any of
"the kingdoms; I pray you, were not both the kingdoms
"monarchies from the beginning? And conſequently, could
"ever the body be counted without the head, which was
"ever unſeparably joined thereunto? So that as the honour
"and privileges of any of the kingdoms could not be divided
"from their ſovereign; ſo are they now confounded and
"joined in my perſon, who am equal and alike kindly head
"to you both. When this kingdom of England was divided
"into ſo many little kingdoms, as I told you before, one of
"them behoved to eat up another, till they were all united in
"one. And yet can Wiltſhire or Devonſhire, which were
"of the Weſt-Saxons, although their kingdom was of longeſt
"durance, and did by conqueſt overcome divers of the reſt
"of the little kingdoms, make claim to priority of place or
"honour before Suſſex, Eſſex, or other ſhires, which were
"conquered by them? And have we not the like experience
"in the kingdom of France, being compoſed of divers duchies,
"and one after another conquered by the ſword? For even
"as little brooks loſe their names by their running and falling
"into great rivers, and the very name and memory of the
"great rivers ſwallowed up in the ocean; ſo by the conjunc-
"tion of divers little kingdoms in one, are all theſe private
"differences and queſtions ſwallowed up. And, ſince the
"ſucceſs was happy of the Saxon kingdoms, being conquered
"by the ſpear of Bellona, how much greater reaſon have we
"to expect a happy iſſue of this greater union, which is only
"faſtened and bound up by the wedding-ring of Aſtrea?
"And as God hath made Scotland (the one half of this iſle)
"to enjoy my birth, and the firſt and moſt imperfect half of
"my life; and you here to enjoy the perfect and laſt half
"thereof; ſo cannot I think that any would be ſo injurious
"to me, no, not in their thoughts and wiſhes, as to cut
"aſunder the one half of me from the other. But in this
"matter I have far enough inſiſted, reſting aſſured, that in
"your hearts and minds you all applaud this my diſcourſe.

Now although theſe bleſſings, before rehearſed, of in- and outward peace be great: Yet ſeeing that in

"all

James I. 1604. "all good things, a great part of their goodneſs and eſti-
"mation is loſt, if they have not appearance of perpetuity
"or long continuance; ſo hath it pleaſed Almighty God to
"accompany my perſon alſo with that favour, having health-
"ful and hopeful iſſue of my body, whereof ſome are here
"preſent, for continuance and propagation of that undoubted
"right which is in my perſon; under whom I doubt not but
"it will pleaſe God to proſper and continue for many years
"this union, and all other bleſſings of inward and outward
"peace, which I have brought with me.

"But neither peace outward, nor peace inward, nor any
"other bleſſing that can follow thereupon, nor appearance
"of the perpetuity thereof, by propagation in the poſterity,
"is but a weak pillar, and a rotten reed to lean unto, if God
"do not ſtrengthen, and by the ſtaff of his bleſſing make
"them durable; for in vain doth the watchman watch the
"city, if the Lord be not the principal defence thereof; in
"vain doth the builder build the houſe, if God give not
"the ſucceſs; and in vain, as Paul ſaith, doth Paul plant,
"and Apollo water, if God give not the encreaſe: for all
"worldly bleſſings are but like ſwift-paſſing ſhadows, fading
"flowers, or chaff blown before the wind, if by the profeſ-
"ſion of true religion, and works according thereunto, God
"be not moved to maintain and ſettle the thrones of princes.
"And although that ſince mine entry into this kingdom, I
"have both by meeting with divers of the eccleſiaſtical ſtate,
"and likewiſe by divers proclamations, clearly declared my
"mind in points of religion, yet do I not think it amiſs in
"this ſo ſolemn an audience, I ſhould now take occaſion to
"diſcover ſomewhat of the ſecrets of my heart in that mat-
"ter. For I ſhall never, with God's grace, be aſhamed to
"make public profeſſion thereof at all occaſions, leſt God
"ſhould be aſhamed to profeſs and allow me, before men
"and angels; eſpecially, leſt that at this time men might
"preſume farther upon the miſknowledge of my mean-
"ing, to trouble this parliament of ours than were conve-
"nient.

"At my firſt coming, although I found but one religion,
"and that which by myſelf is profeſſed, publicly allowed,
"and by the law maintained; yet found I another ſort of
"religion, beſides a private ſect, lurking within the bowels
"of this nation. The firſt is the true religion, which by me
"is profeſſed, and by the law is eſtabliſhed: the ſecond is,
"the falſely called catholics, but truly papiſts: the third,
"which I call a ſect, rather than a religion, is

" and Noveliſts, who do not ſo far differ from us in points James I.
" of religion, as in their confuſed form of policy and purity, 1604.
" being ever diſcontented with the preſent government, and
" impatient to ſuffer any ſuperiority, which makes their ſect
" unable to be ſuffered, in any well-governed common-
" wealth." But as for my courſe towards them I remit it
" to my proclamations made upon that ſubject.

" And now for the papiſts, I muſt put a difference be-
" twixt my own private profeſſion of mine own ſalvation, and
" my politic government of the realm, for the weal and quiet-
" neſs thereof. As for mine own profeſſion, you have me
" your head now amongſt you, of the ſame religion that the
" body is of: as I am no ſtranger to you in blood, no more
" am I a ſtranger to you in faith, or in the matters concern-
" ing the houſe of God. And although this my profeſſion
" be according to mine education, wherein, I thank God, I
" ſucked the milk of God's truth, with the milk of my
" nurſe; yet do I here proteſt unto you, that I would never,
" for ſuch a conceit of conſtancy, or other prejudicate opi-
" nion, have ſo firmly kept my firſt profeſſion, if I had not
" found it agreeable to all reaſon, and to the rule of my con-
" ſcience. But I was never violent, nor unreaſonable in my
" profeſſion: " I acknowledge the Roman church to be our
" mother church, although defiled with ſome infirmities and
" corruptions," as the Jews were, when they crucified
" Chriſt. And as I am none enemy to the life of a ſick man,
" becauſe I would have his body purged of ill humours; no
" more am I enemy to their church, becauſe I would have
" them reform their errors, not wiſhing the down-throwing
" of the temple, but that it might be purged, and cleanſed
" from corruption; otherwiſe how can they wiſh us to en-
" ter, if their houſe be not firſt clean? But as I would be
" loth to diſpenſe in the leaſt point of mine own conſcience,
" for any worldly reſpect, than the fooliſh preciſion of them
" all; ſo would I be as ſorry to ſtrait the politic govern-
" ment of the bodies and minds of all my ſubjects to my
" private opinions: nay, my mind was ever ſo free from
" perſecution, or thralling of my ſubjects in matters of con-
" ſcience, as I hope thoſe of that profeſſion within this
" kingdom, have a proof ſince my coming, that I was ſo
" far from encreaſing their burthens with Rehoboam, as I
" have ſo much, as either time, occaſion, or law could
" permit, lightened them. And even now at this time, have
" been careful to reviſe and conſider deeply upon the laws
" made againſt them, " That ſome overture might be pro-

" poned

James I. 1604. poned to the preſent parliament, for clearing theſe laws by reaſon, (which is the ſoul of the law) in caſe they have been in times paſt further, or more rigorouſly extended by judges, than the meaning of the law was, or might tend to the hurt as well of the innocent, as of guilty perſons." And as to the perſons of my ſubjects which are of that profeſſion, I muſt divide them into two ranks, clerics and laics; for the part of the laics, certainly I ever thought them far more excuſable than the other ſort, becauſe that ſort of religion contained ſuch an ignorant, doubtful, and implicit kind of faith in the laics, grounded upon their church, as except they do generally believe whatſoever their teachers pleaſe to affirm, they cannot be thought guilty of theſe particular points of hereſies and corruptions, which their teachers do ſo wilfully profeſs. And again, I muſt ſub-divide the ſame laics into two ranks, that is, either quiet and well-minded men, peaceable ſubjects, who either being old, have retained their firſt drunken in liquor, upon a certain ſhamefacedneſs to be thought curious, or changeable; or being young men, through evil educations, have never been nurſed or brought up but upon ſuch venom, inſtead of wholeſome nutriment: and that ſort of people, I would be ſorry to puniſh their bodies for the error of their minds, the reformation whereof muſt only come of God, and the true ſpirit. But the other rank of laics, who either through curioſity, affectation of novelties, or diſcontentment in their private humours, have changed their coats, only to be factious ſtirrers of ſedition, and perturbers of the common-wealth; their backwardneſs in their religion giveth a ground to me, (their magiſtrate) to take the better heed to their proceedings, and to correct their obſtinacy.

"But for the part of the clerics, I muſt directly ſay and affirm, that as long as they maintain one ſpecial point of their doctrine, and another point of their practice, they are no way ſufferable to remain in this kingdom. Their point of doctrine is, that arrogant and ambitious ſupremacy of their head the pope, whereby he not only claims to be ſpiritual head of all chriſtians, but alſo to have an imperial civil power over all kings and emperors, dethroning and decrowning princes with his foot as pleaſeth him, and diſpenſing and diſpoſing of all kingdoms and empires at his appetite. The other point which they obſerve in continual practice is, the aſſaſſinates and murthers of kings; thinking it no ſin, but rather a matter of ſalvation, to do all

" all actions of rebellion and hoſtility againſt their natural James I.
" ſovereign Lord, if he be once curſed, his ſubjects diſ- 1604.
" charged of their fidelity, and his kingdom given a prey, by
" that three-crowned monarch, or rather monſter, their head.
" And in this point I have no occaſion to ſpeak further here,
" ſaying, " That I could wiſh from my heart, that it would
" pleaſe God to make me one of the members of ſuch a ge-
" neral chriſtian union in religion, as laying wilfulneſs aſide
" on both hands, we might meet in the midſt, which is the
" centre and perfection of all things. For if they would
" leave, and be aſhamed of ſuch new and groſs corruptions
" of theirs, as themſelves cannot maintain, nor deny to be
" worthy of reformation, I would for my own part be con-
" tent to meet them in the mid-way, ſo that all novelties
" might be renounced on either ſides." For as my faith is
" the true, ancient, catholic and apoſtolic faith, grounded
" upon the ſcriptures and expreſs word of God; ſo will I
" ever yield all reverence to antiquity, in the points of eccle-
" ſiaſtical policy: and by that means ſhall I ever, with God's
" grace, keep myſelf from either being an heretic in faith, or
" ſchiſmatic in matters of policy.

" But of one thing would I have the papiſts of this land
" to be admoniſhed, that they preſume not ſo much upon
" my lenity, (becauſe I would be loth to be thought a perſe-
" cutor) as thereupon to think it lawful for them daily to en-
" creaſe their number and ſtrength in this kingdom; where-
" by, if not in my time, at leaſt in the time of my poſterity,
" they might be in hope to erect their religion again. No,
" let them aſſure themſelves, that as I am a friend to their
" perſons, if they be good ſubjects; ſo I am a vowed enemy,
" and do denounce mortal war to their errors. And that as
" I would be ſorry to be driven by their ill behaviour, from
" the protection and conſervation of their bodies and lives;
" ſo will I never ceaſe, as far as I can, to tread down their
" errors and wrong opinions. For I could not permit the
" increaſe and growing of their religion, without firſt betray-
" ing of myſelf and mine own conſcience: ſecondly, this
" whole iſle, as well the part I am come from, as the part I
" remain in; in betraying their liberties, and reducing them
" to the former ſlaviſh yoke, which both had caſten off be-
" fore I came amongſt them; and thirdly, the liberty of the
" crown in my poſterity, which I ſhould leave again under a
" new ſlavery, having found it left free to me by my pre-
" deceſſors. And therefore would I wiſh all my good ſub-
" jects that are deceived with that corruption, firſt, if they

James I. 1604. find any beginning of inſtinction in themſelves of knowledge, and love to the truth, to foſter the ſame by all lawful means, and to beware of quenching the ſpirit that worketh within them. And if they can find as yet no motion tending that way, to be ſtudious to read and confer with learned men, and to uſe all ſuch means as may further their reſolution; aſſuring themſelves, that as long as they are diſconformable in religion from us, they cannot be but half my ſubjects, be able to do but half ſervice, and I to want the beſt half of them, which is their ſouls.

"And here I take occaſion to ſpeak to you my lords the biſhops; for as you my lord of Durham ſaid very learnedly to day in your ſermon, "Correction without Inſtruction is but a tyranny:" So ought you, and all the clergy under you, to be more careful, vigilant, and diligent, than you have been to win ſouls to God, as well by your exemplary life as doctrine. And ſince you ſee how careful they are, ſparing neither labour, pains, nor extream peril of their perſons, to pervert, (the devil is ſo buſy a biſhop) ye ſhould be the more careful and wakeful in your charges. Follow the rule preſcribed to you by St. Paul, "Be ye careful to exhort and inſtruct, in ſeaſon, and out of ſeaſon:" And where you have been any way ſluggiſh before, now waken yourſelves up again with a new diligence in this point, remitting the ſucceſs to God, who calling them either at the ſecond, third, tenth, or twelfth hour, as they are alike welcome to him, ſo ſhall they be to me his lieutenant here.

"The third reaſon of my convening you at this time, which containeth ſuch actions of my thankfulneſs towards you, as I may either do, or leave undone, yet ſhall, with God's grace, ever preſs to perform all the days of my life: It conſiſts in theſe two points, in making of laws at certain times, which is only at ſuch times as this, in parliament; or in the careful execution thereof at all other times. As for the making of them, I will thus far faithfully promiſe unto you, that I will ever prefer the weal of the body, and of the whole commonwealth, in making of good laws and conſtitutions, to any particular or private ends of mine, thinking ever the wealth and weal of the commonwealth to be my greateſt weal, and worldly felicity: a point wherein a lawful king doth directly differ from a tyrant. But at this time I am only thus far to forewarn you in that point, that you be ware to ſeek the making of too many laws, for two ſpe-

cial

" cial reaſons: firſt, becauſe " in corruptiſſimâ republicâ plurimæ leges:" and the execution of good laws is far more profitable in a commonwealth, than to burden men's memories with the making of too many of them. And next, becauſe the making of too many laws in one parliament will bring in confuſion, for lack of leiſure wiſely to deliberate before you conclude: For the biſhop ſaid well to day, that to deliberation would a large time be given; but to execution a greater promptneſs was required. As for the execution of good laws, it hath been very wiſely and honourably foreſeen, and ordered by my predeceſſors in this kingdom, in planting ſuch a number of judges, and all ſorts of magiſtrates, in convenient places, for the execution of the ſame. And therefore muſt I now turn me to you that are judges, and magiſtrates under me, as mine eyes and ears in this caſe: I can ſay none otherwiſe to you, than as Ezekias the good king of Juda ſaid to his judges, " Remember that the thrones you ſit on are God's, and neither yours nor mine." And that as you muſt be anſwerable to me, ſo muſt both you and I be anſwerable to God, for the due execution of our offices. That place is no place for you to utter your affections in; you muſt not there hate your foe, nor love your friend; fear the offence of the greater party, or pity the miſery of the meaner; ye muſt be blind, and not ſee diſtinctions of perſons; handleſs, not to receive bribes; but keep that juſt temper and mid-courſe in all your proceedings, that like a juſt balance, ye may neither ſway to the right nor left hand. Three principal qualities are required in you, knowledge, courage, and ſincerity; that you may diſcern with knowledge, execute with courage, and do both in upright ſincerity. And as for my part, I do vow and proteſt here in the preſence of God, and of this honourable audience, I never ſhall be weary, nor omit no occaſion wherein I may ſhew my carefulneſs of the execution of good laws. And as I wiſh you that are judges, not to be weary in your office, in doing of it, ſo ſhall I never be weary, with God's grace, to take account of you, which is properly my calling. James I. 1604.

" And thus having told you the three cauſes of my convening of this parliament, all three tending only to utter my thankfulneſs, but in divers forms; the firſt by word, the other two by action; I do confeſs, that when I have done, and performed all that in this ſpeech I have promiſed, " Inutile ſervus ſum." Inutile, becauſe the meaning of the

James I. 1604. "word Inutilis in that place of ſcripture, is underſtood, that "in doing all that ſervice which we can to God, it is but our "due, and we do nothing to God, but that which we are "bound to do: and in like manner, when I have done all "that I can for you, I do nothing but that which I am "bound to do: and am accountable to God upon the con-"trary. "For I do acknowledge that the ſpecial and greateſt "point of difference that is betwixt a rightful king, and a "uſurping tyrant, is in this; that whereas the proud and am-"bitious tyrant doth think his kingdom and people are only "ordained for ſatisfaction of his deſires and unreaſonable ap-"petites; the righteous and juſt king doth by the contrary "acknowledge himſelf to be ordained for the procuring of "the wealth and proſperity of his people, and that his great-"eſt and principal worldly felicity muſt conſiſt in their pro-"ſperity." If you be rich, I cannot be poor; if you be happy, "I cannot but be fortunate; and I proteſt that your welfare "ſhall ever be my greateſt care and contentment. And that "I am a ſervant is moſt true; that as I am head and gover-"nor of all the people in my dominions, who are my natu-"ral vaſſals and ſubjects, conſidering them in numbers and "diſtinct ranks; ſo if we will take the whole people as one "body and maſs, then as the head is ordained for the body, "and not the body for the head, ſo muſt a righteous king "know himſelf to be ordained for his people, and not his "people for him: for although king and people be relata, "yet can he be no king if he want people and ſubjects: but "there be many people in the world that lack a head; where-"fore I will never be aſhamed to confeſs it my principal ho-"nour, to be the great ſervant of the commonwealth; and "ever think the proſperity thereof to be my greateſt felicity, "as I have already ſaid.

"But as it was the whole body of this kingdom, (with "an uniform aſſent and harmony) as I told you in the be-"ginning of my ſpeech, which did ſo far oblige me, in good-"will and thankfulneſs of requital by their alacrity and rea-"dineſs in declaring and receiving me to that place which "God had provided for me, and not any particular perſons, "(for then it had not been the body) ſo is my thankfulneſs "due to the whole ſtate. For even as in matters of faults, "Quod à multis peccatur impunè peccatur; even ſo in mat-"ters of virtuous and good deeds, what is done by the wil-"ling conſent and harmony of the whole body, no particular "perſon can juſtly claim thanks, as proper to him for the "ſame: and therefore I muſt here make a little apology for, "myſelf,

" myſelf, in that I could not ſatisfy the particular humours James I.
" of every perſon that looked for ſome advancement or re- 1604.
" ward at my hand, ſince my entry into this kingdom. Three
" kinds of things were craved of me, advancement to honour,
" preferment to place of credit about my perſon, and reward
" in matters of land or profit. If I had beſtowed honour
" upon all, no man could have been advanced to honour;
" for the degrees of honour do conſiſt in preferring ſome
" above their fellows: if every man had the like acceſs to
" my privy or bed-chamber, then no man could have it, be-
" cauſe it cannot contain all: and if I had beſtowed lands
" and rewards upon every man, the fountain of my liberality
" would have been ſo exhauſted and dried, as I would lack
" means to be liberal to any man: and yet was I not ſo ſpar-
" ing, but I may without vaunting affirm, that I have en-
" larged my favour in all the three degrees, towards as many,
" and more than ever king of England did, in ſo ſhort a
" ſpace. No, I rather crave your pardon, that I have been
" ſo bountiful: for, if the means of the crown be waſted, I
" behoved then to have recourſe to you my ſubjects, and be
" burthenſome to you; which I would be lotheſt to be of
" any king alive. For as it is true, that as I have already
" ſaid, it was a whole body which did deſerve ſo well at my
" hand, and not every particular perſon of the people: yet
" were there ſome who by reaſon of their office, credit with
" the people, or otherwiſe, took occaſion both before, and
" at the ſame time of my coming amongſt you, to give proof
" of their love and affection towards me. Not that I am
" any way in doubt, that if other of my ſubjects had been in
" their places, and had had the like occaſion, but they would
" have uttered the like good effects, (ſo general and ſo great
" were the love and affection of you all towards me:) but
" yet this having been performed by ſome ſpecial perſons, I
" could not without unthankfulneſs but requite them accord-
" ingly. And therefore had I juſt occaſion to advance ſome
" in honour, ſome to places of ſervice about me, and by re-
" warding to enable ſome who had deſerved well of me, and
" were not otherwiſe able to maintain the ranks I thought
" them capable of, and others who although they had not
" particularly deſerved before, yet I found them capable and
" worthy of place of preferment and credit, and not able to
" ſuſtain thoſe places for which I thought them fit, without
" my help. Two eſpecial cauſes moved me to be ſo open-
" handed, whereof the one was reaſonable and honourable,
" but the other (I will not be aſhamed to confeſs unto you)

James I. 1604. "proceeded of mine own infirmity. That which was juſt "and honourable, was, that being ſo far beholden to the "body of the whole ſtate, I thought I could not refuſe to let "run ſome ſmall brooks out of the fountain of my thankful- "neſs to the whole, for refreſhing of particular perſons that "were members of that multitude. The other, which pro- "ceeded out of mine own infirmity, was, the multitude and "importunity of ſuitors. But although reaſon come by infu- "ſion in a manner, yet experience groweth with time and "labour; and therefore do I not doubt, but experience in "time coming will both teach the particular ſubjects of this "kingdom, not to be ſo importune and undiſcreet in craving; "and me not to be ſo eaſily and lightly moved in granting, "that which may be harmful to my eſtate, and conſequently "to the whole kingdom.

"And thus having at length declared unto you my mind, "in all the points for the which I called this parliament, my "concluſion ſhall only now be, to excuſe myſelf, in caſe "you have not found ſuch eloquence in my ſpeech, as per- "adventure you might have looked for at my hands. I "might, if I liſt, alledge the great weight of my affairs, and "my continual buſineſs and diſtraction, that I could never "have leiſure to think upon what I was to ſpeak, before I "came to the place where I was to ſpeak: and I might alſo "alledge, that my firſt ſight of this ſo famous and honourable "an aſſembly, might likewiſe breed ſome impediment: but "leaving theſe excuſes, I will plainly and freely in my man- "ner, tell you the true cauſe of it; which is, that it becom- "eth a king, in my opinion, to uſe no other eloquence than "plainneſs and ſincerity. By plainneſs I mean, that his "ſpeeches ſhould be ſo clear, and void of all ambiguity, that "they may not be thrown, nor rent aſunder in contrary ſen- "ſes, like the old oracles of the pagan gods. And by ſin- "cerity I underſtand, that uprightneſs and honeſty which "ought to be in a king's whole ſpeeches and actions; that, as "far as a king is in honour erected above any of his ſubjects, "ſo far ſhould he ſtrive in ſincerity to be above them all, "and that his tongue ſhould be ever the true meſſenger of "his heart. And this ſort of eloquence may you ever aſſured- "ly look for at my hands."

Several remarks are made upon the king's ſpeech.

This ſpeech was not received with the applauſes expected by the king. Beſides the exceſſive length, ſeveral things were remarked which gave occaſion for cenſure. In the firſt place, no body could tell what to make of his "actions of thanks "inſe-

" inſeparably conjoined in his perſon," and containing two bleſſings, the firſt whereof was confined to theſe two points: 1. That having never had war with any of his neighbours, he inferred from thence that he brought peace with him every where. But it was no great wonder he had not been hitherto in war with his neighbours, ſince Scotland has properly no neighbours but the Engliſh. 2. That without being ſollicited, he had revoked the letters of mark againſt Spain. The other bleſſing of his " actions of thanks," conſiſted in the union in his perſon of the titles of the two houſes of Lancaſter and York. Hence he would have inſinuated, that by his acceſſion to the throne of England, he freed the Engliſh from the dread of ſeeing a renewal of the civil wars occaſioned by the title of the two houſes. But this pretended dread was only a chimera of his own forming. Since Henry VIII. who much more juſtly united in his perſon the rights of the two contending houſes, the dread of a civil war had ſo diſappeared, that it was entirely forgot. As for his efforts to ſhow the great advantages which would accrue to England from the union of the two kingdoms, they were entirely vain, as will hereafter appear. Beſides, his inferences from the arbitrary compariſons of a head with a divided body, a huſband with two wives, a ſhepherd with two flocks, ſeemed ſo little ſolid, that they were turned to ridicule. What he ſaid about religion, was diſpleaſing to all. The catholics were not ſatisfied with his diſtinctions. The puritans were extremely offended, that he ſhould poſitively ſay of them, " They were ever diſcon-" tented with the preſent government, and impatient of any " ſuperiority, which made their ſect inſufferable in a well-" governed commonwealth." The proteſtants in general remarked in his ſpeech too great condeſcenſion for the papiſts, and even contradiction in what he ſaid about them. On the one hand, he affirmed, he was of the church of England, and his faith grounded upon the holy ſcriptures. On the other hand, he was ready to lay aſide all prejudice, and meet the catholics half way. He declared himſelf a mortal enemy to their errors, but took care to intimate, that he confined, as I may ſay, theſe errors to the doctrine of the pope's exorbitant power. Upon the other ſort of " actions of thanks," conſiſting in the making and executing of laws, 'twas ſaid, that a king of England might extol his condeſcenſion concerning ſome particular laws made to his own detriment, and the nation's benefit; but no king before him ever pretended to lay an obligation upon his people, for giving his aſſent to ſuch laws as were for his own and the kingdom's good. It was

James I. 1604.

James I. 1604. also obſerved, that he admoniſhed the parliament not to enact too many laws, as if he feared to be obliged to carry his pretended thankfulneſs too far. That as for the few good laws he was willing to admit, all the effects of his thankfulneſs conſiſted in giving the judges a very common and trivial charge. Finally, it was remarked, that this thankfulneſs upon which his whole ſpeech turned, was as imaginary as the cauſe which produced it. In thanking the people of England "for receiving and embracing him as their undoubted "and lawful king and governor," he did not mean to declare that the people had made him ſo, but only that being undoubted king by his birth-right, they had received and owned him as ſuch. This was leſſening the obligation, and conſequently the thankfulneſs too. Wherefore it was thought by many, that the king's aim, in this long harangue, was not ſo much to expreſs his thankfulneſs to the Engliſh, as to inſinuate to them, that all he was obliged to them for, was, their not oppoſing his undoubted right: that his chief intention was, to obtain of the parliament the union of the two kingdoms; to prevent any new laws againſt the papiſts, and to have the execution of thoſe already in force left to him. What was only conjectured at firſt, became certain afterwards, as the king's intentions were diſcovered. In this very parliament therefore, a ſuſpicion and jealouſy of the king began to be entertained by the people. This alſo put the houſe of commons upon their guard, and made them carefully weigh the king's words and actions, who notwithſtanding the maxims laid down in the concluſion of his ſpeech, was a great maſter in the art of chuſing ambiguous expreſſions. This muſt always be remembred, in order to underſtand the events of this reign °.

Act to confirm the king's title. Statut. c. 1. Wilſon.

The firſt thing the parliament did, was to prepare an act for acknowledging the king's title to the crown of England. James had not required it. On the contrary, in all appearance, by repeating ſeveral times in his ſpeech, that he was undoubted king by birth-right, he deſigned to intimate, he did not want the parliament's confirmation. But if this was his intent, the two houſes did not, or ſeemed not to under-

° A modern author ſays, this ſpeech diſplays fully king James's character, and proves him to have poſſeſſed more knowledge and greater parts, than prudence or any juſt ſenſe of decorum and propriety. He obſerves it wants that majeſtic brevity and reſerve which becomes a king in his addreſſes to the great council of the nation. It contains however a remarkable ſtroke of candor, where he confeſſes his too great facility in yielding to the ſolicitations of ſuitors: a fault, which he promiſes to correct, [illegible] adhered to [illegible] during the whole courſe of his reign. Hume, p. 1 [illegible]

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ſtand it, whether they reſolved to preſerve a privilege hither- James I.
to enjoyed, or feared ſuch an omiſſion might occaſion troubles 1604.
and rebellions. The king on his part thought it not prudent to refuſe the act.

After the parliament had conſidered of ſome other affairs, they appointed commiſſioners to examine the king's propoſal concerning the union of the two kingdoms. But the king had already obſtructed it, by laviſhing honours and riches upon his Scotch courtiers. This convinced the Engliſh, they could not but loſe by a union, whoſe end, as they believed, was to render the Scots partakers of the riches of England, whereas the Engliſh had nothing to expect in Scotland [p]. Hence the king's ſpeech was cenſured, where he ſpoke of Scotland as the one half of the iſland, though the Engliſh were perſuaded, there was a great inequality between England and Scotland. The eager purſuit of the Scots after places, penſions, and rich matches, raiſed the jealouſy of the Engliſh, and rendered them very averſe to the union projected by the king. With theſe diſpoſitions the commiſſioners met to examine the advantages and inconveniences, in order to make their report to the two houſes [q].

Commiſſioners to examine the union of the two kingdoms. Spotiſwood, p. 480, &c. Act. Pub. xvi. p. 600. Wilſon.

Whilſt this affair was in hand, moſt people could not forbear ſhowing diſcontent with regard to religion. The catholics expected greater favours from a prince, whom they imagined in their intereſt. His diſtinctions between the Clerics and Laics, between thoſe who aſcribed to the pope an unlimited power, and ſuch as received not that doctrine, made them fear, the advantages they had promiſed themſelves in this new reign would be very inconſiderable. The preſbyterians were enraged to ſee the king ſo openly prefer the papiſts before them. All the proteſtants in general heard with grief the advances made by the king to the papiſts: eſpecially, the offer of meeting them half way, and the affectation of condemning only a ſingle tenet, gave occaſion to fear, he had indeed the ſentiments he was ſuſpected of in Scotland. "What "means, ſaid they, his offer to the papiſts of meeting them "half way, upon their renouncing the doctrines repugnant "to the regal authority? Where is this half way to be? Does "it relate to the hierarchy? But if the pope's authority is "not received, there will be no difference between the Eng-

The people's diſcontent with reſpect to religion. Wilſon.

[p] It was ſaid, that if the Scots had already impoveriſhed the kingdom, they would by the union ruin it. Welden, p. 58.

[q] They were in all forty-three commiſſioners, lords and commons, who were empowered to meet and treat with certain ſelect commiſſioners to be appointed by the parliament of Scotland. Wilſon, p. 675, &c. Spotiſwood, p. 480, &c.

"liſh

James I. 1604.

"liſh and catholic church. Does he reckon the catholics "will have come half way, when they have renounced the "pope's exorbitant power? If ſo, we muſt, in order to go "the other half, yield them the reſt of the articles, which "were the cauſe of our ſeparation." In a word, it was not known how far this offer was to extend, or where to ſtop, ſo obſcure and doubtful was the expreſſion, though he had declared, he would uſe no other eloquence than Plainneſs and Sincerity. Moſt of the biſhops, and the zealous church-of-England-men, were alone pleaſed, becauſe the king ſeemed bent not to ſuffer the puritans, who were no leſs odious to them than the bigotted papiſts. It is certain, their zeal for the church of England was carried a little too far; and the king, by declaring himſelf ſo plainly a ſworn enemy to the puritans, bred a mutual enmity between the two parties, which was but too much cheriſhed, and which, at another time, proved fatal to the eſtabliſhed church. The puritans were ſo offended at this uncharitableneſs for them, and the great condeſcenſion for the papiſts, that they did not ſcruple to charge the king, the biſhops, and the zealous epiſcopalians, with being ſo many popiſh agents. Amidſt theſe diviſions, the Romiſh emiſſaries had but too many opportunities to foment the animoſity of the two parties, and carry it to the utmoſt height, knowing they could not better execute their deſigns than when the kingdom was involved in troubles. It is pretended, at this time many jeſuits, with their ſuperiors permiſſion, were received, ſome as preſbyterian miniſters, others as church of England prieſts; and that under theſe diſguiſes, they ſo ſtretched the principles of the two parties in their writings and ſermons, that the breach was rendered irreparable.

Artifice of the jeſuits to increaſe diviſions. Annals of James I. Pref.

At the ſame time, thoſe who approached the king's perſon, both Engliſh and Scots, thought only of making their court, in order to obtain his good graces and favours. The jealouſy between the two nations, helped to ſtrain the flattery uſed by the whole court to the king. Every one ſtrove to keep in his eſteem by whatever was moſt grateful to him, and nothing was more ſo than to be extolled for his learning and parts, and to hear the royal authority talked of according to his principles. It was ſome time before the people had a clear knowledge of this prince's genius and character; but when he was once well known, the eſteem at firſt entertained of him very ſenſibly diminiſhed, to which the king himſelf greatly contributed by his ſtrange conduct, as will hereafter appear.

The king loves flattery. Oſborn.

The principal affair for which the king had ſummoned the parliament was, the union of the two kingdoms, though he pretended, his ſole motive was to expreſs his thankfulneſs to the Engliſh. He had ſo good an opinion of his eloquence, that he did not queſtion the ſucceſs of the affair, and the nomination of the commiſſioners for that purpoſe confirmed his belief. So, whether through impatience, or to engage the parliament the ſooner to unite the two kingdoms, he ordered himſelf to be proclaimed king of Great-Britain, without ſtaying for the parliament's determination. From thenceforward he would hear no more of the diſtinction of the two kingdoms. St. Andrew's croſs was quartered with St. George's in the flags, and by proclamation the Scottiſh coins were made current in England. This ſhowed, the king did not doubt, the affair of the union would ſucceed to his wiſh. But he did not yet know the genius and character of the Engliſh. Such as had no ſhare in his bounties, loudly murmured to ſee his Scotch attendants grown ſo rich in a very ſhort ſpace, that the Engliſh could not imitate their magnificence without ruining their eſtates[r]. Several paſquils were daily made upon the occaſion, not much to the advantage of the Scots, nor conſequently to the deſign of the union of the two kingdoms.

James I. 1604.

He aſſumes the title of king of Great Britain. Wilſon, p. 673. Act. Pub. xvi. p. 603.

Ib. p. 605, 645. Howes.

Wilſon.

There was alſo another thing which did not render the people favorable to the king. This was an occaſion of the diſcontent given to the houſe of commons, and which it will be neceſſary to mention, in order to ſhow this prince's idea of the Engliſh conſtitution, and the juſt cauſe he gave the commons to fear, he deſigned to invade their privileges. Immediately after the opening of the parliament, the commons examining, according to cuſtom, the conteſted elections, there was a debate in the houſe about the return of Sir Francis Goodwin, and Sir John Fortеſcue, for knight of the ſhire for the county of Bucks; and upon a full hearing, Sir Francis was declared duly elected. Three days after, the lords ſent a meſſage to the commons, that there might be a conference about Goodwin's election. The commons, ſurprized at ſo extraordinary a meſſage, anſwered, they did not think themſelves obliged to give an account of their proceedings, and therefore could not grant the conference required. The lords replied, the king having been acquainted with what had paſſed in Goodwin's caſe, thought himſelf engaged in honour to have

Difference between the king and the houſe of commons. Coke, p. 53.

March 23.

March 26.

[r] The Engliſh repined, as Wilſon ſays, ſtead of wadmeal, velvet and ſatting to ſee the Scots advanced from blue p. 673. bonnets to caps of beavers, wearing in-

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James I. 1604. the affair debated again, and had ordered them to confer with the commons upon it. Whereupon the commons, by their ſpeaker, gave their reaſons to the king, why they could not admit of that innovation. But all they could obtain was, that inſtead of a conference with the lords, the king commanded them to confer with the judges. This pleaſed them no more than the other. They delivered their reaſons in writing, at the council chamber, deſiring their lordſhips to intercede for them to the king, not to violate their privileges. The anſwer was, the king abſolutely commanded them to have a conference with the judges [r]. The commons were extremely ſurprized at ſo abſolute an order. Mean while, fearing to be accuſed of too eaſily engaging in a quarrel with the king, they thought it more proper to yield, than ſtand out, fully bent however to adhere to what had been determined in the caſe of the conteſted election. Certainly the king had engaged in a very nice affair, and probably, would not have come off with honour, had he not been diſingaged by Goodwin's moderation. Sir Francis chuſing to forfeit his right rather than occaſion a quarrel between the king and the commons, deſired the houſe to order the county of Bucks to elect another knight in his ſtead. The king and commons equally accepted of this expedient, which prevented them from coming to extremities; but the king found from hence, that no great account was made of the proclamation upon calling the parliament, whereby he meant to be maſter of the elections.

April 3.

The commons addreſs the king. June 16. Coke, p. 54.

The commons perceived by this affair, that the king's intention was to ſound them, and that hereafter ſuch incidents might frequently be revived. For which reaſon, on the 16th of June, addreſſing the king concerning certain grievances, they took occaſion to repreſent their privileges, of which they ſuppoſed him not yet fully informed. This addreſs ſo diſpleaſed the king, that on the 7th of July, he prorogued the parliament to the 7th of February, to have time to think of means to humble the commons [s].

The parliament is prorogued. Jour. Parl. Stow.

[r] The king ſaid, he ordered and commanded, "as an abſolute king," that there might be a conference between the houſe and the judges. He had before ſaid, he had no purpoſe to impeach their privilege, but ſince they deſired all matters of privilege "from "him and by his grant," he expected they ſhould not be turned againſt him.— This caſe of Sir Francis Goodwin was printed by order of the houſe of commons, 1733, on occaſion of the famous debate at that time upon the Ayleſbury election.

[s] This parliament granted the king tunnage and poundage. The tunnage was, 3s. on every tun of [illegible] imported; and on a tun of ſweet wine, [illegible] and

It is certain, moſt of thoſe who approached the king, laboured to inſpire him with the deſign of rendering himſelf abſolute, or rather to confirm him in this reſolution, by which they perfectly made their court. Beſides, arbitrary power is as advantagious to miniſters and courtiers, as it is prejudicial to the reſt of the nation. Several authors accuſe the biſhops of having been of the number of the flatterers. Perhaps matters have been a little aggravated. However, many things give occaſion to believe, that the clergy of the church of England were inclined to aſcribe to the king, more power than his predeceſſors had hitherto enjoyed. At leaſt, it is certain that from the reign of James I. to this preſent time, many of the clergy have endeavoured to perſuade the people, that they ought to acknowlede in the ſovereign an unlimited authority, and have extended paſſive obedience in England as far as in the moſt arbitrary monarchies. James I. 1604. The clergy countenance the king's principles touching arbitrary power. Coke, p. 60. Oſborne.

Bancroft archbiſhop of Canterbury, a moſt zealous aſſerter of the prerogative royal, was one of the firſt who attempted to go beyond the uſual bounds, by cauſing things to depend on the king's will, which were undeniably within the parliament's juriſdiction. He exhibited to the king and council twenty-five grievances of the clergy [t], which were deſired to be reformed in granting prohibitions, that the king's courts might not have cognizance of what concerned theſe articles. It is ſaid, his intention was to ſhow others the way to apply directly to the king, without regarding the parliament or convocation. But the king was told, in caſe he granted the archbiſhop's requeſt, he would be ingaged in inextricable difficulties, becauſe the redreſſing of grievances had ever belonged to the parliament. Whereupon, the king conſulted The archbiſhop's attempt in favour of the king. Ibid.

for every awm of Rheniſh, 1s. The poundage was, 1s. on every twenty ſhillings-worth of goods and merchandize imported and exported, except woollen manufactures; and tin and pewter alſo excepted, which were to pay 2s. A denizen was to pay, for every ſack of wool, 33s. 4d. for every two hundred and forty woolfells, 33s. 4d. and for every laſt of hides and backs, 3l. 6s. 8d. But a ſtranger was to pay for every ſack of wool, 3l. 6s. 8d. for every two hundred and forty woolfells the ſame; and for every laſt of hides and backs, 3l. 13s. 4d. See Statut. c. 33. ——There were ſeveral ſtatutes made in this parliament, the chief of which are: 1. An act for the due execution of the laws againſt jeſuits, ſeminary-prieſts, and recuſants. 2. A continuance of the ſtatute 39 Eliz. concerning the puniſhment of rogues, vagabonds, &c. By this ſtatute, people that go about the country to ſell glaſſes, are to be adjudged as rogues and vagabonds. 3. An act to reſtrain the inordinate haunting and tippling in inns, alehouſes, &c. 4. A wiſe act againſt conjuration, witchcraft, and dealing with evil ſpirits. 5. One for the relief of creditors againſt bankrupts. 6. And another againſt ſmokers, &c. See ſtatut. 1 James I.

[t] They were called Articuli Cleri. See them in Sir Edward Coke's 2d Inſtitute.

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James I. 1604.

the judges, who anſwered unanimouſly, he ought to refrain from deciding any thing concerning the archbiſhop's requeſt.

The concluſion of the peace with Spain ſoon followed the prorogation of the parliament. Taxis having informed the king of Spain how the court of England ſtood affected, the conſtable of Caſtile was ſent into the Low-Countries, with orders to paſs into England and conclude the peace. But the conſtable being detained by ſome affairs in the Netherlands, conveyed his power to Taxis and Richardot. Theſe two deputies being come to London [u], agreed upon a treaty, which was not however ſigned till the 18th of Auguſt, after the arrival of the conſtable of Caſtile. Some ſay, this ambaſſador purchaſed the peace with large ſums of money, diſtributed among the king's miniſters. But this can only be ſaid by conjecture, thoſe who are intruſted with ſuch ſort of intrigues, not being uſed to diſcover them [w]. However, the treaty with the king of Spain was twofold, there being one relating entirely to commerce.

Treaty of peace with Spain. Du Cheſne. Weldon. Act. Pub. xvi. p. 579, 596. Stow. p. 845, &c. Weldon. Oſborn.

Coke, p. 56. "By the IVth article of the firſt treaty it was agreed, "That neither the kings of England nor Spain, ſhould directly or indirectly, give aid to the enemies or rebels of "either part, of what nature or condition ſoever they were.

"By the Vth, They renounced all former leagues, confederacies, capitulations, and intelligences contrary to that "treaty.

Coke, p. 57. "In the VIIth, king James excuſes the delivery of the "cautionary towns to the king of Spain; and promiſes to "enter into a treaty with the ſtates, wherein he will aſſign "a competent time to them, to accept and receive terms for

[u] The Engliſh commiſſioners were, Thomas Sackville earl of Dorſet, Charles Howard earl of Nottingham, Charles Blount earl of Devonſhire, Henry Howard earl of Northampton, and Robert lord Cecil baron of Eſingden. Rymer's Fœd. tom. xvi. p. 580, &c. 586.

[w] Weldon, p. 26, 27. ſays, there was not one courtier of note but, what taſted of Spain's bounty either in gold or jewels, and among them not any had ſo large a proportion as the counteſs of Suffolk, who ſhared in her lord's intereſt, being then a prevalent man, and in that intereſt which ſhe had, in being miſtreſs to the [illegible] great Secretary (little in body but great in policy) the ſole manager of ſtate-affairs. So it may be ſaid, ſhe was a double ſharer; And in truth, Audley-End, that famous great ſtructure, had its foundation of Spaniſh gold. He ſays, all Chriſtendom has ſince felt and ſeen the lamentable effect of this diſadvantagious peace. —— A peace, ſays Oſborn, more deſtructive to England than a war. He alſo obſerves, that the earl of Northampton was by the Spaniſh gifts enabled to build a noble houſe in the Strand; and there were many others in the kingdom that had their foundation, if not their walls and roofs, plaiſtered with the ſame mortar. Sect. 4, 5.

"pace

"a pacification with the archduke; which if they refuſed, James I.
"he would from thenceforth think himſelf freed from the 1604.
"former conventions with them."

Theſe, doubtleſs, are the articles which have given occaſion to ſay, the Spaniards bought the peace. It does not however appear, that after the treaty James withdrew his troops from the ſervice of the ſtates, as he ſhould have done by virtue of the IVth article, nor that he fixed a time for the ſtates to make a peace, purſuant to the VIIth. On the contrary, it will be ſeen, that he delivered to them the cautionary towns for a much leſs ſum than was agreed on with Elizabeth. Moreover, Andrew du Cheſne, in his hiſtory of England, ſpeaking of this treaty, relates only four articles, whereof the laſt is directly contrary to the forementioned fourth article. According to that hiſtorian the article ran:

"That as to the ſtates of Holland and Zealand, things Du Cheſne.
"ſhould remain as they were, as well with reſpect to the
"cautionary towns, as to the other articles of the treaties
"between Elizabeth and the ſtates, without the king of
"England's being obliged to recall his troops from the Low-
"countries; or to forbid his ſubjects to ſerve the ſtates.
"Moreover, that the commerce, trade, and navigation be-
"tween the Engliſh and the ſtates, ſhould continue upon
"the ſame foot as in Elizabeth's life-time."

This contrariety makes me think, that James, to pleaſe the Spaniard and the archduke, was perſuaded to agree, that the fourth article ſhould be inſerted in the treaty in the manner firſt mentioned, in order to induce the ſtates to haſten a peace, and that this ſame article, as related by du Cheſne, was a reſtriction of the firſt, or a ſecret article, which was alone to take place. This is ſo common a thing in treaties, that the conjecture cannot be conſidered as groundleſs, eſpecially as it is confirmed by the event.

The peace with Spain being concluded, the king was perſuaded to grant a monopoly of the trade with Spain and Italy to a company of merchants, and to forbid all his ſubjects, except ſuch as were authorized by this company, to traffic in thoſe countries. But in the next ſeſſion of the parliament, the commons taking into conſideration how deſtructive to trade ſuch a monopoly was, repreſented ſo plainly to the king the ill conſequences of it, that the company's patent was revoked, and the trade with Spain and Italy declared free as before. A company erected for the trade with Spain and Italy. Coke, p. 59.

During the reſt of the year 1604, nothing remarkable paſſed in England. The king led a peaceable life amidſt the flatteries The king lives very quietly.

James I. 1604. flatteries of his court, and very lavishly bestowed his favours on his minions. But this liberality bred a great discontent in those who had no share in it, and thought themselves however no less worthy than the others. Queen Elizabeth took a very different method, but James did not think fit to be her imitator. Never were honours bestowed with less discretion and more profusion than in this reign. Accordingly, they were no longer considered as the reward of merit, but only of adulation [x].

He is lavish of honours.

The town of Ostend, besieged now three years by the Spaniards, was at last forced to capitulate the 20th of September. By the taking of that place the conquerors gained only heaps of ruins, which had cost them immense sums, and the loss of numberless officers and soldiers [y]. Before James concluded the peace with Spain, he seemed willing to concern himself in the preservation of Ostend; but when the peace was made, he thought only of strengthening his new friendship with the king of Spain and the archduke, by sending them ambassadors.

The taking of Ostend. Thuanus. Stow. Winwood's Mem. t. ii. p. 29.

1605. The king made choice of his high admiral the earl of Nottingham for ambassador extraordinary to Spain. The earl departed in March 1605, with a very numerous retinue, consisting, according to some, of no less than six hundred and fifty persons [z].

The lord admiral's embassy to Spain. Weldon, p. 42. Baker.

At the same time, the earl of Hertford was sent in embassy to Brussels. Whilst he was at sea, a Dutch man of war sailed by, and refusing to strike, the English captain, Sir William Monson, prepared to compel him, but the ambassador would not give him leave. This was the first in-

And the earl of Hertford's to Brussels. Affront to the English colours by a Dutch man of war. Weldon, p. 48, 49.

x This year, in September, the king borrowed several sums of money, by privy-seal, from the wealthiest citizens in London. And in October, the customs of merchandizes, both inward and outward, were raised, and let out to farm. Howes's Contin. of Stow, p. 856.—The king, who was a great enemy to tobacco, as appears by his writings against it, ordered by a proclamation, dated October 7, that besides the custom of two-pence in the pound it used to pay, there should be an additional duty of 6s. 8d. on every pound imported into the realm. See Rymer's Fœd. tom. xvi. p. 601.

y Above one hundred and twenty thousand men [illegible] said to be slain on both sides. The town was taken by the marquis of Spinola, for which he was made duke of Santa Severina. Sir Francis Vere general, and his brother Horatio has shown great valour in the defence of this place. Stow, p. 856. Howes's Contin.

z The Spaniards were astonished at the magnificence of the embassy, and the handsome gentlemen; for it seems the jesuits reported our nation to be ugly, and like devils, as a punishment for casting off the pope; and they pictured Sir Francis Drake generally half a man half a dragon. So easy is it, says Wilson, for those jugglers, when they have once bound up the conscience, to tie up the understanding also. Weldon, p. 42. Wilson, p. 673.

dignity

dignity of that nature received by England from the Dutch, whose ſovereignty was not yet ſo much as acknowledged by any potentate in Europe. If James had demanded reparation, doubtleſs, he might eaſily have obtained it, conſidering the then circumſtances of the United Provinces. But very likely, he did not think it worth his while to make a noiſe about an affair of ſo little importance. The Engliſh however murmured at it, and many took occaſion to compare the king's indolence with Elizabeth's ſpirit, who, doubtleſs, would not have been ſo eaſy under ſuch an affront. James gave himſelf no trouble about it, believing, that to avoid all occaſion of rupture with his neighbours was a more effectual way to procure his own and the nation's welfare, than to engage in a war for ſuch a trifle. James I. 1605.

The jealouſy the Engliſh began to conceive of the Hollanders, was nothing in compariſon of that cauſed by the king's prodigal favours to the Scots *. Moſt hiſtorians accuſe the catholics of cheriſhing the jealouſy between the two nations, in order to make an advantage of their diviſions. But without being forced to recur to ſo remote a cauſe, the old enmity between the two kingdoms, and the king's inclination for the Scots, were in my opinion much more natural cauſes of it. The king was no ſtranger to this jealouſy, and uſed ſome endeavours to allay it. He ordered this year in England, Thomas Douglas, a Scotchman, to be hanged, for counterfeiting the king's privy-ſeal to ſeveral princes of Germany. This man falling into the hands of the elector Palatine, who diſcovered the fraud, was ſent into England, where he met with his deſert. Jealouſy between the Engliſh and Scots. Wilſon. Weldon. Oſborn. Doug'as, a Scot, counterfeits the privy-ſeal, and is hanged. Howes. Wilſon.

Hitherto the king was undiſturbed and ſurrounded with plenty; whereas he had ſpent in Scotland, the firſt years of his life in troubles and want. Since his acceſſion to the throne of England, he had not been obliged to aſk money of his parliament, becauſe when he came to the crown, he found the deceaſed queen had not yet touched the ſubſidy granted her by the parliament, amounting to three hundred thouſand pounds ſterling, which he had entirely received. This, with his uſual revenues, enabled him to be liberal to his favorites of both nations, who quickly grew very rich. On the other hand, The king's happy ſtate. Oſborn. Coke.

* This jealouſy occaſioned many inſolencies; the ſtreets of London ſwarmed night and day with bloody quarrels; and private duels where every where fomented betwixt the Engliſh and Scots. Wilſon, p. 674.——The Scots complaining at firſt to the king, that they were ſo poor, they underwent the by-word of beggarly Scots; the king replied to them, Content yourſelves, I will ſhortly make the Engliſh as beggarly as you, and ſo end that controverſy. Weldon, p. 57.

James I. 1605.

he took a pleasure in raising to honours and dignities several persons, who would not have aspired to them in Elizabeth's reign. In short, he saw himself incessantly flattered by his courtiers, who omitted no opportunities to show how much they admired his wisdom and all his other virtues. This was a necessary method to acquire his favour. To say all in a word, he led a very easy and peaceable life, in the midst of plenty and pleasures, to which some pretend he was a little too much addicted [b]. But this prince has had the misfortune to have for historians, such as loved him not, as on the other hand, he has had the good fortune to have some who have endeavoured to praise all his actions. So, there is danger of being greatly mistaken, if an idea of his character is formed upon the commendations or invectives of his historians. It is better to keep solely to the examination of his actions themselves.

Wilson. Coke.

Whilst every thing seemed to procure king James a quiet and peaceable reign, the devil, envying the happiness of the English, inspired some of his agents with one of the most horrible plots that ever was heard of. I mean the gunpowder-treason-plot, which has made so much noise in the world, and of which I shall relate the particulars, without any aggravation.

Occasion of the gunpowder-plot Wilson. Discourse of the treason. Du Chesne. Howes's Contin. Stow. Speed. Coke, p. 61, &c. Osborn. Winwood's Mem. t. ii. p. 49, &c.

Whatever might be the ground of the hopes entertained by the catholics, when they saw king James ascend the throne of England, it is certain they expected great things from him, and at least a full toleration, with liberty of publicly exercising their religion. Upon this toleration they built their hopes of restoring by degrees their religion in England. But the king's speech to the parliament discovered two things. The first, that the toleration, which till then had been hardly doubted, was not yet ready to come. The second, that though they should obtain it of the king, it would not be for such as acknowledged the pope's authority in its utmost extent. These were the men however that were most active and eager to re-establish their religion in the kingdom. They despised a bare liberty of Conscience for the moderate catholics, to which the king seemed to confine his favours. They believed it to be the king's intention to divide the catholics, and make two sects, whereof one, renouncing the doctrine

[b] Mr. Chamberlain, in a letter to Mr. Winwood, tells him, That the king "finds such solicity in a hunting "life, that he has written to his "council, and desires them to take "the charge and burden of affairs, and "foresee that he be not interrupted nor "troubled with too much business." Winwood's Mem. tom. ii. p. 46.

of the pope's ſupremacy, ſhould be tolerated in the kingdom, and the other expelled. This diviſion appeared to them ſo deſtructive to the catholic religion, that they imagined, the king by this artful and political conduct, intended to reconcile to the church of England, ſuch as ſhould imprudently reject the papal authority, as it happened in the reign of Henry VIII. James II. 1605.

To prevent the execution of this pretended deſign, which might be very prejudical to the church of Rome, ſome of theſe zealots conſulted together, and formed a horrible plot, which was afterwards approved by the reſt. The chief of theſe wretches was Robert Cateſby, a gentleman of Northamptonſhire, deſcended from the Cateſbies mentioned in the reign of Edward V. This man having gained Thomas Percy the earl of Northumberland's couſin, John Grant, Ambroſe Rookwood, John and Chriſtopher Wright, Francis Treſham, Guy Fawkes, Sir Everard Digby, Robert and Thomas Winter [c], Thomas Bates, and Robert Keys, choſe five of them to conſult how to reſtore the Romiſh religion in England. Percy, one of the moſt zealous, propoſed killing the king, and offered to perform it. To this Cateſby replied, "though "the king was dead, their cauſe would not be advanced, ſince "he would leave ſons, who perhaps would not be more fa- "vourable to the catholics. Nay, ſuppoſing the king and his "children were removed, there would remain ſo many of the "nobles and gentry, that probably it would be very difficult "to accompliſh their deſign." He added, "he had thought "of a way to deſtroy in an inſtant, almoſt all the principal "enemies of the catholic religion, and to throw the kingdom "into ſuch a conſternation, that not a man would be able "to take proper meaſures to oppoſe the execution of their "deſigns." This way was to blow up the parliament houſe [d], whilſt the king ſhould be ſpeaking his ſpeech from the throne to the lords and commons. Then he ſhowed them in what manner the project might be executed, and was applauded by all. However, as ſo deteſtable a plot could not but breed ideas frightful and ſhocking to conſcience, ſome moved to have the lawfulneſs of the project examined by their divines. It is ſaid, that Henry Garnet, Oſwald Teſmond, and John Gerrard being conſulted, approved of the plot as juſt and lawful, ſince it was againſt excommunicated heretics. I cannot warrant this, becauſe I never ſaw their trials. But

Account of the Gunpowder treaſon.

Diſcourſe of that treaſon in king James's Works. Speed. Thuanus, l. 135.

Proceedings againſt Garnet, &c. in State-Trials. vol. i. Winwood's Mem. t. ii. p. 170. Ibid.

[c] This Thomas Winter ſeems to have been the firſt contriver of the plot, about Eaſter 1604; but Cateſby invented the manner of putting it in execution. See Fawkes's Confeſſ.

[d] That place they made choice of, becauſe the catholic religion having been ſuppreſſed there, they thought it fitteſt, that juſtice and puniſhment ſhould be executed there. Winter's Confeſ.

James I. 1605. thus much is certain, they ſuffered death for not diſcovering the conſpiracy of which they were informed; and the king, in an apology publiſhed ſome time after, affirmed that Garnet was legally convicted, and had confeſſed his crime [e].

Be this as it will, the thing being determined, they took an oath of ſecrecy, adminiſtered as it is ſaid by father Garnet [f]. Then Percy, being one of the gentlemen-penſioners, was appointed to hire a houſe adjoining to the upper-houſe of parliament. This paſſed in November or December 1604. and the king was to make his ſpeech to the parliament on the 7th of February. Percy having hired the houſe, the conſpirators began with no ſmall labour to dig in the cellar through the partition-wall, which was very thick [g]. But as the parliament was prorogued to the 3d of October, they had as much time as was neceſſary to finiſh their work. In the beginning of February 1605, they had almoſt digged through the wall, when on a ſudden they heard a noiſe on the other ſide: this threw them into a great fright, being apprehenſive of a diſcovery; but their courage reviving, Fawkes, who paſſed for Percy's foot-man, was ſent to ſee what had occaſioned their fear. Preſently after he returned, and ſaid, the place from whence the noiſe came was a large cellar under the upper-houſe of parliament, full of ſea-coals, which were now under ſale, and the cellar offered to be let. As nothing could be more favourable to their deſign, Percy immediately hired the cellar, and bought the remainder of the coals: then he ſent for thirty-ſix barrels of powder from Holland, and lodging them at Lambeth, cauſed them to be conveyed in the night into the cellar, and covered with coals and faggots [h].

Fawkes's Confeſſ.

The

[e] This is confirmed by Garnet's anſwer to ſome Engliſh lords, who aſked him, whether he approved that the church of Rome ſhould one day declare him a martyr: "Martyrem me (cried "he) O qualem martyrem!" See Caſaubon's letter to Fronto Ducæus the Jeſuit, Caſaub. Epiſt. edit. of 1709. p. 414.

[f] Cateſby, Percy, Wright, Fawkes, and Winter, met behind St. Clement's church in London, and upon a little time gave each other the oath of ſecrecy, and afterwards went into the next room, where they heard maſs and received the ſacrament upon the ſame. Ibid. In their indictment it is ſaid, "that "they received the euchariſt by the "hands of Garnet, Teſmond," etc. but not the oath. See State Trials.

[g] It was about three yards thick. They that worked in this mine were Percy, Cateſby, Thomas and Robert Winter, John and Chriſtopher Wright, and Fawkes. They began to work December 11, and about Candlemaſs had worked the wall half through. They all ſeven lay in the houſe, and had ſhot and powder, being reſolved to die rather than yield or be taken. They had provided themſelves with baked meats, to have the leſs occaſion for ſending out; and they went in the night and were never ſeen. Fawkes's and Winter's Confeſſ.

[h] They put in at firſt but twenty barrels, but fearing they might be damp, they added ſixteen more. There were thou-

The plot being thus in a fair way, it was considered what was to be done when the king, prince Henry his eldeſt ſon, the lords and commons, ſhould be buried in the ruins of the parliament-houſe. The duke of York, the king's ſecond ſon, being yet very young, was not to be preſent at the parliament, and the princeſs Elizabeth his ſiſter was educated at a houſe belonging to the lord Harrington in Warwickſhire. It was reſolved therefore that Percy, who had free admittance into the king's palace, ſhould undertake to kill the duke of York[i]; and that others, under colour of a hunting-match, ſhould meet on the ſame day near the lord Harrington's houſe, and ſecure the princeſs Elizabeth. As all this could not be effected without money, Treſham offered two thouſand pounds ſterling, Digby fifteen hundred, and Percy promiſed to ſupply four thouſand. Some moved for foreign aid beforehand, but the motion was rejected: it was reſolved only to demand aſſiſtance of France, Spain, and the archduke, when the plot ſhould be executed. Then, after ſome conſultation, they agreed to ſave the princeſs Elizabeth, and proclaim her queen. To that end they drew up a proclamation, taking care to inſert nothing concerning religion for fear of alarming the people, till they were ſtrong enough to execute all their deſigns. Finally, they reſolved to ſpread a report after the blow ſhould be given, that the puritans were the authors of it.

James I. 1605.

Fawkes's and Winter's Confeſ

Winter's Confeſ.

Proceedings againſt Garnet, etc.

The parliament being farther prorogued to the 5th of November, the conſpirators expected the day with the utmoſt impatience, not one being touched with remorſe of the crime they were going to commit. But God, abhorring ſo deteſtable a plot, inſpired one of the conſpirators with a deſire to ſave William Parker lord Monteagle, ſon of the lord Morley. This lord, going home about ſeven in the evening, a letter was given him by his ſervant, who received it from an unknown perſon, with a charge to deliver it into his maſter's own hand. The letter was without name or date[k], and expreſſed in theſe words:

Winter's Confeſ.

October 26.

Diſcourſe of the Treaſon.

a thouſand billets and five hundred faggots to cover them. Winter's Confeſ. — In their indictment it is ſaid, they put in thirty barrels and four hogſheads of gunpowder, and laid on them great iron bars and ſtones. State Trials.

[i] He, and another gentleman, were to enter into the duke's chamber without ſuſpicion; and having about a dozen others at ſeveral doors to expect his coming, and two or three on horſeback at the court-gate to receive him, he was to carry the duke ſafe away, as ſoon as the parliament-houſe was blown up. Winter's Confeſ.

[k] And in an unknown and ſomewhat unlegible hand. Diſcourſe of the Treaſon.

James I. 1605.

"My lord,

"OWT of the love I beare to ſome of your frends, I "have a care of your preſervation. Therfore I would "adviſe you, as you tender your life, to deviſe ſome excuſe "to ſhift off your attendance at the parliament. For God "and man have concurred to puniſh the wickedneſſe of this "tyme. And thincke not ſlightlie of this advertiſement, but "retire yourſelfe into your countrey, where you may expect "the event in ſafetie. For though there be no apparance of "any ſtirre, yet I ſay, they ſhall receave a terrible blow this "parliament, and yet they ſhall not ſee who hurt them. This "counceill is not to be contemned, bicauſe yt may doe you "good, and can doe you no harme; for the danger is paſt "ſo ſoone as you burne this letter. And I hope God will "give you the grace to make good uſe of yt: to whoſe holy "protection I commend you."

This letter was delivered to the lord Monteagle ten days before the meeting of the parliament. Though it was unintelligible to him, nay, though he imagined it only an artifice to frighten him, he carried it that very evening to the earl of Saliſbury, ſecretary of ſtate. The earl ſhowed it to ſome privy counſellors, who underſtood the meaning of it no more than he [1]. However, they reſolved to do nothing till the king's return, who was then at Royſton.

Diſcourſe of the Treaſon. Winwood's Mem. tom. ii. p. 170, etc.

The king returning to London the laſt day of October, the earl of Saliſbury read the letter to him on the morrow, and concluded that it was written by ſome fool or madman: to convince the king, he repeated this ſentence, "The danger "is paſt ſo ſoone as you burne this letter;" for, ſaid he, if the danger be paſſed when the letter is burnt, what ſignifies this warning? But the king ordering the letter to be read again, explained the words otherwiſe, and ſaid, "So ſoone "as you burne the letter," was to be interpreted, "In as "ſhort a ſpace as you ſhall take to burn the letter." Then comparing this ſentence with the foregoing, "That they "ſhould receive a terrible blow this parliament, and yet "ſhould not ſee who hurt them," he concluded that ſome

[1] However, he obſerved it correſpond with ſome informations he had received from abroad, that the papiſts, both at home and abroad, were making preparations for ſome combination amongſt them againſt the parliament-time, for enabling them to deliver a petition to the king for toleration of religion; which ſhould be delivered in ſuch order, and ſo well backed, as the king ſhould be loth to refuſe their requeſts. Diſcourſe of the Treaſon.

ſudden

ſudden blow was preparing by means of gun-powder [m]. This interpretation being deemed very plauſible, it was reſolved that all the rooms and cellars adjoining to the parliament-houſe ſhould be ſearched, to ſee whether there was any powder concealed. This ſearch was however deferred till the day before the meeting of the parliament, in a belief that the nearer the execution was, the more ſigns would be found. The earl of Suffolk lord chamberlain went himſelf to ſearch without noiſe or hurry [n]. When he came to the cellar where the powder was, and ſaw the coals and faggots with which it was covered, he aſked Whyneard, the keeper of the wardrobe, who attended him, to what uſe he had put the cellar? Whyneard anſwered, Mr. Percy had hired it, and very probably the coals and wood were the gentleman's fuel for winter. At the ſame time the chamberlain perceiving a man ſtanding in a corner, aſked who he was, and being told he was Mr. Percy's ſervant, did not ſeem to take any farther notice [o]. This affected negligence made the conſpirators think there would be no farther ſearch, ſince nothing was found in the cellar to create any ſuſpicion, and they prepared to execute their plot the next day. James I. 1605. Novemb. 4.

The earl of Suffolk having made his report to the council, it was thought if there was any powder concealed, it was in the large cellar, under the faggots and coals. But as the parliament was to meet on the morrow, it was reſolved not to ſearch under the wood till midnight, in hopes to find in or about the cellar ſome perſons from whom information might be had. Purſuant to this reſolution, ſir Thomas Knevet, gentleman of the privy-chamber and juſtice of peace for Weſtminſter, going to the cellar about midnight, found at the door a man in a cloak and boots, whom he immediately apprehended [p]. This was Guy Fawkes, who paſſed for Percy's ſervant [q]. Then cauſing the wood and coals to be removed, they found underneath thirty-ſix barrels of powder. After this diſcovery, Fawkes being ſearched, there was found upon him

Powder is found hid under the houſe of lords.

Diſcourſe of the Treaſon.

[m] Cecil, in a letter of his to ſir Charles Cornwallis, ſpeaks as if it was he and the lord chamberlain that firſt made the diſcovery. See Winwood, tom. ii. p. 171.

[n] It is the lord chamberlain's buſineſs to ſee that all places are in a readineſs where the king is to come in perſon.

[o] The lord Monteagle, curious to know the event, was with the lord chamberlain, and hearing Percy named, immediately gueſſed the letter came from him, there being great friendſhip between them. Diſcourſe of the Treaſon.

[p] In caſe nothing ſhould be found, Whyneard was to pretend he miſſed ſome of the king's ſtuff or hangings, which were in his keeping, and that the ſearch was for them. Diſcourſe of the Treaſon.

[q] Under the name of John Johnſon.

James I. 1605. a dark-lantern, a tinder-box, and three matches [r]. The villain, inſtead of being diſmayed, boldly told them, if he had been taken within the cellar, he would have blown up himſelf and them together. The king being acquainted with the diſcovery [s], ordered the priſoner to be examined concerning the circumſtances of the plot. He confeſſed the deſign was to blow up the king and parliament, and expreſſed great ſorrow it was not done, ſaying, it was the devil and not God that was the diſcoverer. He obſtinately refuſed all that day to name any of his complices, but on the morrow, being ſhowed the rack, confeſſed all he knew.

Diſcourſe of the Treaſon.

The opening of the parliament, which was to be the ſame day, being deferred, and the news of the conſpiracy beginning to ſpread in London, Cateſby, Percy, Winter, and the two Wrights fled by ſeveral ways to their companions, who were to ſecure the princeſs Elizabeth. Theſe were ready to execute their deſign the moment they ſhould hear of the ſucceſs of the mine at Weſtminſter. As they did not queſtion it would ſucceed to their wiſh, and believed they had nothing more to manage, they had the night before broke open a ſtable and carried away twelve horſes [t]. This action had alarmed ſir Richard Verney ſheriff of the county, who had drawn the people together to ſeize the robbers. Preſently after came the conſpirators that fled from London, and told their companions the plot had miſcarried; whereupon they reſolved to keep together, to endeavour to make the catholics riſe, and to put themſelves at their head; but all their efforts ended only in raiſing about a hundred horſe [u].

Some are taken, others ſlain. Ibid.

Mean while, the ſheriffs of the neighbouring counties [w] having ſent notice to one another, called the people to arms, and purſued the conſpirators from place to place, till at length the villains were forced to take harbour at Holbeach [x], where the ſheriff ſummoned them to ſurrender. They anſwered, he had not a ſufficient force to compel them, and prepared to defend themſelves or fight their way through: but in opening a barrel of powder to charge their muſkets, it took fire and blew up part of the houſe [y]. This accident conſtrained them to

[r] All this was but about twelve hours before the helliſh project was to be put in execution.

[s] About four o' clock in the morning. Diſcourſe of the Treaſon.

[t] There were but ſeven or eight. The ſtable belonged to one Benock, a rider of great horſes. Ibid.

[u] They never amounted to fourſcore. See Diſcourſe of the treaſon.

[w] Particularly ſir Richard Walſh, ſheriff of Worceſterſhire. Ibid.

[x] A houſe belonging to Stephen Littleton, in Staffordſhire. Winwood's Mem. tom. ii. p. 173.

[y] As they were mending the fire in the

to open the gate and try to escape. Some were killed immediately by the people who surrounded them: Catesby, Percy, and Winter, standing back to back, fought desperately, till the two first were killed with one shot, and the other taken alive after receiving several wounds. Digby, Rookwood, Grant, and Bates yielded or were taken in trying to escape. Tresham, who staid at London with Robert Winter brother of Thomas Winter and Littleton, was discovered and apprehended with his two companions. All the prisoners were sent to the Tower, and strictly examined. Thomas Winter confessed himself guilty, and writ his confession with his own hand. Digby extenuated his crime, because having expected the king would grant a free toleration to the catholics, and not seeing any likelihood of their obtaining it, he was driven by despair to engage in the plot. Tresham said at first that father Garnet the Jesuit was privy to the conspiracy, but afterwards denied it by his wife's instigation, as it is pretended, affirming he had not seen him for sixteen years: but Garnet, who was apprehended after Tresham's death, confessed he had frequently conferred with him within six months. The earl of Northumberland was sent to the Tower, on suspicion of being concerned in the plot. This suspicion was grounded upon his being captain of the band of gentlemen pensioners, and admitting into it his cousin Percy without administring to him the oath of supremacy, though he knew his religion. The affair being afterwards brought into the star-chamber, the earl was fined in thirty thousand pounds sterling, deprived of all his posts, and imprisoned during the king's pleasure.

James I. 1605. Wilson, p. 675. Howes. State Trials. Ibid. Novem. 27. Howes. Osborn. June 27. Osborn.

The session of the parliament began not till the 9th of November, though it was fixed to the 5th. The king made a long speech, representing the heinousness and consequences of this horrible plot, and magnifying the mercy of God in the miraculous discovery. But withal he took great care to clear the catholic religion, and to observe that this abominable plot was to be ascribed to such only as were truly papists, and imbued with the detestable principles mentioned in his first speech to the parliament. He affirmed, there were not many of these, and it would be extremely injurious to accuse the catholics in general of following such extravagant maxims.

The king's speech to the parliament to excuse the catholics. K. James's Works.

the star-chamber, a spark of fire happened to fall upon two pounds of powder, which was drying a little from the chimney; and it blowing up, so maimed the faces of some of the principal rebels, and the hands and sides of others, that they opened the gate. A great bag of powder was blown up without taking fire. See King James's Works, p. 244.

"For

James I. 1605. "For (added he) although it cannot be denied that it was "only the blind ſuperſtition of their errors in religion that "led them to this deſperate device; yet doth it not follow "that all profeſſing the Romiſh religion were guilty of the "ſame: for as it is true that no other ſect of heretiques, "not excepting Turk, Jew, nor Pagan, no, not even thoſe "of Calicute, who adore the devil, did ever maintain by the "grounds of their religion, that it was lawful, or rather me-"ritorious (as the Romiſh catholics call it) to murder princes "or people for quarrel of religion; yet it is true on the other "ſide, that many honeſt men, blinded peradventure with "ſome opinions of popery, as if they be not found in the "queſtions of the real preſence, or in the number of their "ſacraments, and ſome ſuch ſchool queſtion; yet do either "not know, or at leaſt not believe, all the true grounds of "popery, which is indeed the myſtery of iniquity. And "therefore do we juſtly confeſs, that many papiſts, eſpecial-"ly our forefathers, laying their only truſt upon Chriſt and "his merits, at their laſt breath, may be and oftentimes are "ſaved; deteſting in that point, and thinking the cruelty "of puritans worthy of fire, that will admit no ſalvation to "any papiſt."

And then concluding that part of his diſcourſe, he declared, "As upon the one part many honeſt men ſeduced with "ſome errors of popery, may yet remain good and faithful "ſubjects; ſo upon the other part none of thoſe that truly "know and believe the whole grounds of popery, can ever "prove either good Chriſtians or faithful ſubjects."

Reflections of the people upon the king's ſpeech.

This ſpeech was much applauded by the courtiers, who admired its wiſdom, juſtice, and equity, and remarked the king's greatneſs of ſoul, who at the very time he had ſo much reaſon to complain of the catholics, took care to juſtify their religion, and hinder the innocent from being confounded with the guilty. But the reſt of the people were not of the ſame opinion. They conſidered with grief and aſtoniſhment the tender regard the king expreſſed for the catholics in general, under pretence of a diſtinction which was thought imaginary, or at leaſt very uſeleſs, by reaſon of the difficulty of diſcerning thoſe who held the maxims condemned by the king, from thoſe who were willing to renounce them. They obſerved alſo the difference the king put between the Romiſh religion and that of the puritans: the firſt hindered not its profeſſors from being faithful ſubjects; but the laſt was not to be tolerated in any well-governed commonwealth, as he expreſſed himſelf in his former ſpeech. Here, to turn the ha-

ted

tred of the good proteſtants upon the puritans, he is not content with deteſting an opinion indifferent in itſelf, and which had no relation to the ſtate, but even thinks it worthy of fire, either temporal or ſpiritual, for he does not ſay which, whilſt he calls the doctrine of tranſubſtantiation a mere ſchool-queſtion. It was alſo ſaid, that if upon this ſame opinion, he had been pleaſed to diſtinguiſh the puritans who did not, from ſuch as did damn all the catholics, this diſtinction would have been as well grounded as that between the catholics and papiſts. In ſhort, it was obſerved, that he affected to aſcribe to the puritans alone this opinion worthy of fire, which he might much more juſtly have imputed to the Roman catholics, as all the world knew. It cannot be denied, that throughout the whole courſe of his reign, this prince ſhowed an extreme fondneſs for the Roman catholics. This will ſtill more plainly appear in the ſequel, ſince what I have hitherto related may be deemed doubtful marks of his ſentiments, and capable of admitting a favourable conſtruction. James I. 1605.

As ſoon as he had ended his ſpeech, the king prorogued the parliament to the 21ſt of January: ſo that it evidently appeared he had cauſed them to meet for one ſingle day, on purpoſe to ſhew his thoughts of the conſpiracy, and the manner in which he would have it examined, that is, with reſpect to ſuch only as were concerned in it. The parliament is prorogued. Journ. Parl.

The lords Mordant and Sturton, ſuſpected of being privy to the plot, were fined, the firſt ten thouſand marks, the other ſix thouſand, though there was no other proof againſt them, but their not coming to the parliament. They were ſentenced by the ſtar-chamber, which was then the terror of the great men, and which for the leaſt offence, condemned the parties accuſed in exorbitant fines to the king's uſe [z]. The lords Mordant and Sturton are fined June 3. Wilſon. p. 676. Howes. p. 884.

The diſcovery of the powder-plot was univerſally aſcribed to the king's penetration, who alone diſcovered the meaning of the letter to the lord Monteagle [a]. Nay, ſome of his flatterers did not ſcruple to ſay, he could never have found out the myſtery, without the immediate aſſiſtance of the Holy Ghoſt [b]. Osborn. 1606. Coke, p. 61.

The

[z] January 6, this year, prince Charles was created duke of York. What perſons were made knights of the bath on that occaſion, ſee in Winwood's Mem. tom. II. p. 43; and Howes's Contin. of Stow, p. 856. ——About this time began coaches to come in common uſe. Howes, p. 867.

[a] The king gave the lord Montegale, the firſt diſcoverer of the treaſon, two hundred pounds a year in fee-farm rents, and five hundred pounds a year during his life, as a reward for his good ſervice. Wilſon, p. 676.

[b] After all, it is ſaid, that the letter to the lord Monteagle was an artifice of

James I. 1606.

The king of Spain's and the archduke's ambaſſador's teſtified their joy, for this deliverance, by bonfires before their doors and fountains of wine to the mob. This was not perhaps a very proper way to remove the ſuſpicions of the Engliſh, who were apt to believe the Spaniards were concerned in the horrible plot [c]. It was remembred that when the conſtable of Caſtile was in England, he ſaid publicly, in caſe the king refuſed to tolerate the catholics, there would be found perſons capable of any attempt. Nay, after the plot was diſcovered, the archduke refuſed to deliver ſome of the complices who had eſcaped into the Netherlands [d], and ſent the chief of them to Spain, where he was very well received. It is certain however, theſe ambaſſadors were not accuſed by the depoſitions of the criminals. Nay, the king publicly declared, he was ſure no foreign prince was privy to the plot. Indeed, all the princes, as well catholic as proteſtant, expreſſed their abhorrence of ſo damnable a deſign, and congratulated him upon his deliverance.

Affected joy of the Spaniſh and archduke's ambaſſadors. Howes.

The parliament meeting the twenty firſt of January, the king appointed commiſſioners to try the conſpirators. He had till now delayed to give the people the ſatisfaction to ſee theſe villains puniſhed. But perceiving if he did not do it of himſelf, the parliament would not fail to petition him, he reſolved to give them over to juſtice. There were but eight executed the 31ſt of January [e], though the number of the guilty

Eight conſpirators are executed. State-Trials vol. i.

of Cecil's, and that the firſt intimation of the powder-treaſon came from the king of France, who received it from the jeſuits of his faction, to the end he might ſhare in our ruins. The reaſons why the moſt chriſtian king did adverſe our court of the plot were, firſt, becauſe he found that nothing was to be feared from one of king James's complexion. Another (a weak one, though ſtrongly preſt by the miniſters) was, the favours received from hence during the league. But the moſt probable was, the advantage the king of Spain was likely to make of it, by reaſon he had an army then ready in Flanders to land in the huge miſt, ſo black a cloud muſt needs have cauſed over the nation, the kingdom of England being, in the pope's own judgment, too great an addition to that of Spain. Oſborn, p. 437, &c. Welwood, p. 19.——Mr. Winwood tells the earl of Salisbury, in a letter to him, that he was informed "the papiſts did not ſo much ſeek after "the life of the king, as the life of "the earl of Salisbury." See Winwood's Mem. tom. ii. p. 264.

[c] The king of Spain ſent an agent on purpoſe to congratulate king James's great preſervation. A flattery ſo palpable, as the pope could not refrain laughing in the face of Cardinal d'Oſſat, when he firſt told him of it: It being notorious, that when king James came to the crown of England, none ſought his deſtruction more cordially than the Spaniards; till a continued tract of experience had fully acquainted him with his temper, and the impoſſibility of perſuading him to form any league with France or other chriſtian prince againſt him. Osborn, p. 438.

[d] Particularly Hugh Owen. See Statut. 3. Jac. c. 2.

[e] Sir Everard Digby, Robert Winter, John Grant, and Thomas Bates, were executed at the Weſt-end of St. Paul's church.

guilty was much greater. Some time after, Oldcorn a jeſuit ſaying openly, that the ill ſucceſs of the conſpiracy did not render it the leſs juſt, was ſent to priſon, condemned and executed. Henry Garnet, provincial of the Engliſh jeſuits, having alſo been arreſted, was ſentenced to die as a traitor, upon the depoſitions of thoſe that were already executed. Some ſay, he only confeſſed, he had heard of a conſpiracy to reſtore the catholic religion in England, but was ignorant of the circumſtances. Others pretend, the plot was revealed to him only in confeſſion, and he was not obliged to diſcover it. The king, as I ſaid, publicly declared afterwards Garnet was legally convicted [f]. The jeſuits have been pleaſed to honour theſe men with the title of martyrs, as if they had ſuffered only in hatred to their religion. But king James's humour and character will not permit it to be thought, that he put men to death only becauſe they were catholics.

James I. 1606.

Execution of Oldcorn and Garnet jeſuits. May 3. Du Cheſne. State-trials. Osborn. Sect. 12. Howes.

Whilſt the parliament was conſidering the powder-plot, it was ſuddenly rumoured that the king was ſtabbed at Oking with a poiſoned knife. This rumour inſtantly threw the people into the utmoſt conſternation, imagining it was the effect of ſome freſh conſpiracy. But the alarm was ſoon over. Two hours after came certain advice that the king was alive, and he even returned to London that very day, and publiſhed a proclamation to quiet the people. The Spaniſh ambaſſador diſtinguiſhed his affection for the king, by preſenting Sir Lewis Lewkenor with a gold chain [g], for bringing him the news of his ſafety.

Rumour of the king's death. March 22. Wilſon. p. 676. Howes. p. 882. Winwood's Mem. t. ii. p. 204. Howes. Ibid.

Mean while, the parliament ſeriouſly applied themſelves to prevent the deſigns of the popiſh recuſants, that is, of ſuch

The parliament enjoins an oath, which every ſubject is obliged to take. Du Cheſne. Coke.

church, January 30; and the next day, Thomas Winter, Ambroſe Rookwood, Robert Keyes, and Guy Fawkes, ſuffered the puniſhment of traitors, in the Old Palace-yard at Weſtminſter. State trials, vol. i. The attainders of them, and the reſt of their complices, were confirmed in this parliament. See Statut. 3. Jac. c. 2.

[f] Garnet owned upon his trial, that Catesby told him of the plot only in general terms, and Teſmond, "ſub "ſigillo confeſſionis," proteſted he had diſſuaded it, and prayed againſt it, and made no queſtion but God heard his prayer. He had, it ſeems, by the cunning of his keepers, divers conferences with Hall, his brother prieſt in the Tower, which were over-heard by ſpies ſet on purpoſe. Being charged with this, "he proteſted upon his ſoul and "ſalvation, there had no ſuch conferences paſt." But being confronted with Hall, he was driven to confeſs. And being aſked how he could ſalve this leud perjury? He anſwered, "ſo long "as he thought they had no proof, he "was not bound to accuſe himſelf, but "when he ſaw they had proof, ſtood "no longer in it." And then fell into a large defence of equivocations. See Winwood's Mem. vol. ii. p. 206. He was arraigned at the Guild-hall in London, March 28, and hanged at the weſt-end of St. Paul's, May 3. State Trials, vol. i.

[g] Of ſixſcore pounds. Winwood's Mem. vol. ii. p. 205.

as

James I. 1606. as refuſed to acknowledge the king's independent authority. For the more eaſy diſcovery of ſuch perſons, the two houſes agreed to draw up an oath, which all ſubjects, without exception, ſhould be obliged to take. This oath was called the oath of allegiance, that is, of ſubmiſſion and obedience to the king, as ſovereign independent of any other power upon earth. It differed from the oath of ſupremacy, as it concerned only the king's temporal ſovereignty, and his independence of the pope, whereas the other, enacted in the reign of Henry VIII. obliged the ſubjects to acknowledge the king for ſupreme head of the church of England. So, every catholic could ſafely take this new oath, unleſs he was one of thoſe who thought, that to be a true catholic it was neceſſary to believe, the pope had power to depoſe kings and give away their dominions. Nay, the king was extremely careful not to have any clauſe inſerted in the oath that might give juſt offence to the catholics. The commons having put in the rough draught of the oath, "That the pope has not power "to excommunicate the king:" He ſaid theſe words might offend his good catholic ſubjects, and it ſufficed to aſſert, the pope's excommunication could not authorize ſubjects to riſe againſt their ſovereign. Here follows the oath which has been, and ſtill is ſpoken of by many, without well knowing what it is.

K. James's Apology.

Oath of allegiance. Statut. 3 Jac. c. 4.

"I A. B. do truly and ſincerely acknowledge, profeſs, teſtify and declare in my conſcience before God and the "world, that our ſovereign lord king James, is lawful king "of this realm, and of all other his majeſty's dominions "and countries: and that the pope neither of himſelf, nor "by any authority of the church or ſee of Rome, or by any "other means with any other, hath any power or authority "to depoſe the king, or to diſpoſe of any of his majeſty's "kingdoms, or dominions, or to authorize any foreign "prince to invade or annoy him or his countries, or to diſcharge any of his ſubjects of their allegiance and obedience "to his majeſty, or to give licence or leave to any of them "to bear arms, raiſe tumults, or to offer any violence or "hurt to his majeſty's royal perſon, ſtate, or government, "or to any of his majeſty's ſubjects within his majeſty's do-"dominions. Alſo I do ſwear from my heart, that, notwithſtanding any declaration or ſentence of excommuni-"cation, or deprivation made or granted, or to be made or "granted by the pope, or his ſucceſſors, or by any authority "derived, or pretended to be derived from him or his ſee, "againſt

"againſt the ſaid king, his heirs or ſucceſſors, or any abſo- James
"lution of the ſaid ſubjects from their obedience; I will bear 1606.
"faith and true allegiance to his majeſty, his heirs and ſuc-
"ceſſors, and him and them will defend to the uttermoſt of
"my power, againſt all conſpiracies and attempts whatſo-
"ever, which ſhall be made againſt his or their perſons, their
"crown and dignity, by reaſon or colour of any ſuch ſen-
"tence, or declaration, or otherwiſe, and will do this my
"endeavour to diſcloſe and make known to his majeſty, his
"heirs and ſucceſſors, all treaſons and traiterous conſpiracies,
"which I ſhall know or hear of to be againſt him or any of
"them. And I do further ſwear, that I do from my heart
"abhor, deteſt and abjure as impious and heretical this dam-
"nable doctrine and poſition, that princes which be ex-
"communicated or deprived by the pope, may be depoſed
"and murthered by their ſubjects or any other whatſoever.
"And I do believe, and in conſcience am reſolved, that nei-
"ther the pope, nor any perſon whatſoever, hath power to
"abſolve me of this oath, or any part thereof; which I
"acknowledge by good and full authority to be lawfully mi-
"niſtred unto me, and do renounce all pardons and diſ-
"penſations to the contrary. And all theſe things I do plain-
"ly and ſincerely acknowledge and ſwear, according to
"theſe expreſs words by me ſpoken, and according to the plain
"and common ſenſe and underſtanding of the ſame words,
"without any equivocation, or mental evaſion, or ſecret
"reſervation whatſoever. And I do make this recognition
"and acknowledgment heartily, willingly, and truly, upon
"the true faith of a chriſtian.

"So help me God."

It is eaſy to ſee, this oath contained nothing repugnant to the eſſential articles of the Romiſh faith, and concerned only the unlimited power, which by ſome is aſcribed and by others denied to the pope. Accordingly, moſt of the Engliſh catholics, with the arch-prieſt Blackwel their ſuperior, made no ſcruple to comply with it. Nay, when Urban VIII. ſent them a brief, dated October 31, 1606 [h], forbidding them to take the oath, they thought the brief was forged by their enemies, to draw them into a non-compliance. But the pope ſpoke more fully the next year, and by a ſecond brief plainly told them, if they took the oath they forfeited all hopes of ſalvation. At the ſame time, cardinal Bellarmine, under the

Remark on this oath. K. James's works. p. 250.

[h] It is dated the 10th of the kalends of October 1606. Apology, p. 252.

feigned

James I. 1606. feigned name of Tortus, wrote a book againſt the oath, and a letter to the arch-prieſt Blackwel to admoniſh him to repent, as if in taking the oath he had committed the moſt heinous offence. This occaſioned king James's Apology for himſelf, publiſhed ſome time after, with a preamble, addreſſed to all chriſtian princes, wherein he cleared himſelf from the falſe imputation of being a perſecutor of the catholics. He began the apology with juſtifying queen Elizabeth's conduct to the Romaniſts, and then added theſe words:

The king's apology with reſpect to the catholics. Apolog. p. 252.

"But now having ſacrificed (if I may ſo ſay) to the manes "of my late predeceſſor, I may next with St. Paul juſtly vin- "dicate mine own fame, from thoſe innumerable calumnies "ſpread againſt me, in teſtifying the truth of my behaviour "toward the papiſts: wherein I may truly affirm, that what- "ſoever was her juſt and merciful government over the pa- "piſts in her time, my government over them ſince hath ſo "far exceeded her's in mercy and clemency, as not only the "papiſts themſelves grew to that height of pride, in confi- "dence of my mildneſs, as they did directly expect and aſ- "ſuredly promiſe to themſelves liberty of conſcience, and "equality with other of my ſubjects in all things; but even "a number of the beſt and faithfulleſt of my ſaid ſubjects "were caſt in great fear and amazement of my courſe "and proceedings, ever prognoſticating and juſtly ſuſ- "pecting that ſowre fruit to come of it, which ſhewed "itſelf clearly in the powder treaſon. How many did I "honour with knighthood, of known and open recuſants? "How indifferently did I give audience and acceſs to both "ſides, beſtowing equally all favours and honours on both "profeſſions? How free and continual acceſs had all ranks "and degrees of papiſts in my court and company? And "above all, how frankly and freely did I free recuſants of "their ordinary payments? Beſides, it is evident, what ſtrait "order was given out of my own mouth to the judges to "ſpare the execution of all prieſts, (notwithſtanding their "conviction) joining thereunto a gracious proclamation, "whereby all prieſts that were at liberty, and not taken, "might go out of the country by ſuch a day: my general "pardon having been extended to all convicted prieſts in "priſon; whereupon they were ſet at liberty as good ſubjects: "and all prieſts that were taken after, ſent over and ſet at "liberty there. But time and paper will fail me to make "enumeration of all the benefits and favours that I beſtowed "in general and particular upon papiſts: in recounting "whereof,

" whereof, every ſcrape of my pen would ſerve but for a blot " of the pope's ingratitude and injuſtice, in meeting me with " ſo hard a meaſure for the ſame." James I. 1606.

All the king ſaid in this part of his apology was very true. But it is ſurprizing, that ſince he thought proper to make a long apology to clear himſelf to foreign princes from the aſperſion of being an enemy to the papiſts, he ſhould never think of excuſing to his own ſubjects his too great condeſcenſion to theſe ſame papiſts, and his extreme care to hinder the execution of the laws enacted againſt them. There is another very extraordinary particular in this apology. The king evidently ſhows, that cardinal Bellarmine confounds in his book the oath of allegiance with that of ſupremacy, whereby it was manifeſt, he did not underſtand the point in diſpute [i]. But I have ſaid enough of this ſubject; I ſhall only add, to conclude what relates to the powder-plot, that the parliament appointed the fifth of November to be a public thankſgiving-day for ſo great a deliverance, which day has been conſtantly ſolemnized to this preſent time.

Remark on this apology.

Bellarmine's miſtake.

Fifth of November appointed to be kept as a holy-day. Wilſon. Statut. 3 Jac. c. 1.

The common danger which threatned the whole kingdom, ſtifled for a time the diſputes between the king and the commons, which aroſe in the firſt ſeſſion of the parliament. The commons were ſo far from intending to revive them, that on the contrary to gain the king's good-will, they granted him one of the largeſt ſubſidies that had ever been given to his predeceſſors in the moſt urgent occaſions of the ſtate, though he was then in profound peace, and wanted money only to enrich his favorites. This aid conſiſted of three whole ſubſidies and ſix fifteenths, and tenths, beſides four ſubſidies of four ſhillings in the pound granted at the ſame time by the clergy [k]. But the affair of the union of the two kingdoms was deferred to the next ſeſſion. So the king having no farther occaſion

The parliament grants a large ſubſidy. c. 25, 26. Wilſon. Coke, p. 62. Howes.

It is prorogued. Journ. Parl. Howes. Great tranquillity in England.

[i] Bellarmine, in his anſwer to king James's Apology, took the opportunity of diſcovering, that his majeſty had formerly writ a letter to Pope Clement VII. and thereupon upbraided him with inconſtancy. See Spotiſwood, p. 507.

[k] The whole was payable at eleven ſeveral payments, and amounted to the ſum of 453000 l. In the ſeventh year of this reign there was granted by the laity throughout all England, one entire ſubſidy, and one fifteenth and tenth. For the ſubſidy, there was paid into the exchequer by the collectors 63666 l. and ſo by eſtimation a ſubſidy is valued. One fifteenth and tenth of the laity comes to 36 000 l. "Truth brought " to light," p. 10, 70, 71. where the reader may ſee what each county paid towards a ſubſidy. As for fifteenths and tenths, every city, hundred, town and village were to pay in no more than they were chargeable by the antient roll and tax ſet upon them, ſo that their payments were certain. Ibid. Hence it appears alſo, the clergy's four ſubſidies of four ſhillings in the pound, amounted to 25021 l. for ſo much remained after the laity's three ſubſidies, and ſix fifteenths and tenths are ſubſtracted from the whole ſum of 453000 l.

James I. 1686. for the parliament prorogued it from the 27th of May to the 18th of November [l].

The conſternation cauſed by the powder-plot in the court and the whole kingdom, was at length turned into a pleaſing tranquillity. The king and people were equally pleaſed with being delivered from ſo great a danger; and the king had the more reaſon to be ſo, as he had brought the parliament to be of his moderate ſentiments with reſpect to the Roman catholics, of whom ten only had been left to the rigour of the law. Their yoke was not aggravated, unleſs the obligation of bearing allegiance to their king, or departing the realm, was to be deemed an aggravation. On the other hand, the king was able to gratify his favorites, by means of the money granted by parliament, and the whole court rejoiced, every one expecting to partake of the king's bounties.

James receives a viſit from the king of Denmark, July 11. Weldon. Howes.

This money came very ſeaſonably to the king to give a ſplendid reception to his brother-in-law the king of Denmark, who arrived ſhortly after on purpoſe to viſit the queen his ſiſter and the king [m]. No coſt was ſpared on this occaſion, to demonſtrate the king's and queen's affection for this prince, and to ſhew him the riches of the kingdom they had acquired. During his ſtay in England, there was one continued, though various, ſcene of diverſions, as plays, fights, entertainments [n], balls, maſquerades, hunting, in a word, every thing that was thought proper to divert him.

and from the prince of Vaudemont, Sept. 25. Howes.

Some time after, the prince of Vaudemont, the duke of Lorrain's third ſon, made the king another ſuch viſit, attended by ſeven earls, ten barons, forty gentlemen, and ſix ſcore domeſtics. He ſtayed a fortnight with the king, by whom he was with his whole train royally entertained. Theſe two viſits conſumed good part of the money lately granted by parliament [o].

The union of the two kingdoms is debated in the parliament. Wilſon. Journ. Par.

The ſeſſion of the parliament, which began the 18th of November, was chiefly employed in the affair of the union, which the king ſtrongly ſollicited. Sir Francis Bacon, the king's ſollicitor, was ordered to move and ſupport it with the

[l] The acts made in this parliament were theſe; 1. An Act for the better diſcovering and repreſſing popiſh recuſants. 2. Another to prevent the dangers which may grow by popiſh recuſants. 3. An Act to reform the multitudes and miſdemeanors of attorneys and ſollicitors, and to avoid unneceſſary ſuits and charges in law. 4. One for the recovering of ſmall debts, and for the relieving of poor debtors in London.

[m] He came to England July 17, and went back Auguſt 14. Howes's Contin. of Stow, p. 884—888.

[n] He was feaſted four days together, with all his attendants, by the earl of Salisbury at Theobalds. Howes, p. 885.

[o] This year, on February 24, was ſigned a treaty of trade and commerce between England and France. See Rymer's Fœd. tom. xvi. p. 645, &c.

beſt

beſt arguments he could deviſe. But though he was learned and eloquent, he met in the houſe of commons with perſons able to withſtand him, and to alledge as ſtrong reaſons againſt, as he did for, the union. The chief objections were, the inequality between the ſtate and riches of the two kingdoms, the difference of the laws and cuſtoms, and Scotland's perpetual alliance with France. But the moſt prevailing argument, though it was not publicly inſiſted upon, was the jealouſy of the Engliſh, which baffled all Bacon's rhetoric °. James I. 1606.

The king hearing the affair was not like to ſucceed in the parliament, ſent for both houſes to Whitehall, and endeavoured in a long ſpeech to ſhow the neceſſity of the union, and the common advantage it would procure. He anſwered the objections alledged in the two houſes, ſpeaking one while with great mildneſs, another while with a menacing tone, turning himſelf every way to attain his ends. He ſaid, it was not reaſonable, the Engliſh and Scots ſhould conſider one another as enemies, whilſt ſubjects of the ſame king, and conſequently it was neceſſary all hoſtile laws ſhould ceaſe, meaning the laws made from time to time upon the frequent invaſions of the Scots on the borders of England. He added, it was no leſs reaſonable, there ſhould be between the two nations community of commerce, ſince he was no ſtranger, but deſcended from the antient kings of England, and could not be natural liege-lord to both, whilſt they were ſtrangers to one another. Finally, it was againſt nature, for people who lived under the ſame dominion, to be no more united than Frenchmen and Spaniards. 1607. The king's ſpeech to the parliament in favour of the union. March 31. K. James's works. Wilſon.

He then proceeded to a nice point, as he had himſelf determined a thing which properly belonged to the cognizance of the parliament. He ſaid, he was informed by the judges, there was a difference between the Ante-nati and Poſt-nati of each kingdom; that is, between ſuch as were born before, and ſuch as were born after, his acceſſion to the crown of England. That therefore he had publiſhed a proclamation, declaring all thoſe to be naturalized in both kingdoms who were born ſince his acceſſion. That indeed he confeſſed the judges might err, but admoniſhed both houſes, "to beware "to diſgrace, either his proclamations or the judges, for ſo "they might diſgrace both their king and the laws, who have "power, when the parliament is done, to try both their "lands and lives." He ſpeaks of his proclamation in favour of the Poſt-nati.

In anſwering the objection taken from the perpetual alliance between France and Scotland, he affirmed, the alliance

° The reader may ſee in Wilſon's hiſtory, the chief arguments for and againſt the union, p. 666—669.

James I. 1607. was not between the two nations, but only between their kings. I do not know whether this was really fact.

He concluded his ſpeech with ſaying, "What is now deſired hath often before been ſought, and not obtained; to refuſe it now then were double iniquity. And for their ſecurity in ſuch reaſonable points of reſtriction, which he ſhall agree to, they need not doubt his inclination: for, added he, I will not ſay any thing which I will not promiſe, nor promiſe any thing which I will not ſwear; what I ſwear, I will ſign, and what I ſign, I ſhall with God's grace ever perform."

The union is rejected. Wilſon. Statut. 4 Jac. c. 1.

The earneſtneſs which the king expreſſed for the union of the two kingdoms, was not capable of prevailing with the parliament, ſo inconvenient was it thought. All he could obtain, was the repealing of the hoſtile laws. So the union was rejected, without any mention however of the proclamation concerning the Poſt-nati. But by not approving it, the parliament did in effect reject it, ſince a proclamation in England is not conſidered as a law. Nevertheleſs, two years after, the king cauſed the ſame thing to be determined by the judges of the realm, though this determination was of no more force than the proclamation P.

Coke, p. 62.

The ill ſucceſs of this affair extremely troubled the king. In his firſt ſpeech to the parliament, he called ſuch as were againſt the union of the two kingdoms, blind, ignorant, reſtleſs, and diſaffected; and affirmed, no honeſt ſubject whatever was leſs glad of this union than himſelf. But he now found the lords and commons againſt it, and this caſt a ſort of ridicule upon his too haſty judgment. From thenceforward he always appeared very averſe to parliaments; as on the other hand, the people began to diſlike him. They could not ſee without grief ſo many proclamations, which ſeemed to ſuppoſe the king's will to be the ſole rule of the government. The king's needleſs expences were another cauſe of complaint, becauſe they were compared with queen Elizabeth's frugality and good management. It was conſidered, the three hundred thouſand pounds received by the king at his coming,

P The king obtained a judgment in Weſtminſter-Hall, in a caſe called Calvin's Caſe, that the Poſt-nati in Scotland, after the king's aſſumption to the crown of England, were free to purchaſe and inherit therein, Rog. Coke, p. 62. This caſe (ſays Wilſon) was reported by lord chief juſtice Coke, who was fit metal for any ſtamp-royal, and adjudged by him, the lord chancellor Elleſmere, and moſt of the judges of the kingdom, in the Exchequer chamber, though many ſtrong and valid arguments were brought againſt it: ſuch power is in the breath of kings! and ſuch ſoft ſtuff are judges made of, that they can model their precedents into as many ſhapes as they pleaſe! Wilſon, p. 680.

with

with what was lately granted by the parliament and clergy, ſerved only to enrich his favorites and miniſters. All this began to form a cloud, which perhaps would have been followed by a ſtorm, had not the king, on the 4th of July, prorogued the parliament to the 16th of November, and afterwards to the 9th of February [q]. James I. 1607.

Before the parliament was prorogued, there were ſome commotions in Northamptonſhire [r], where the country-people roſe in arms, under the conduct of one John Reynolds, who ſtiled himſelf captain Pouch [s]; but theſe troubles were ſhort-liv'd: the ſheriff of the county found means to diſperſe the rebels, without the aſſiſtance of any regular troops. Inſurrection in Northamptonſhire. May. Howes.

The earl of Tir-oen, the famous Iriſh rebel, pardoned by queen Elizabeth, was brought to London the beginning of this reign by the lord Montjoy, and preſented to the king, who received him very graciouſly. Shortly after, he returned to his native country, where he could not live in peace. He not only attempted once more to raiſe a rebellion in Ireland, but alſo applied to foreign princes for aſſiſtance. His ſecret practices not ſucceeding to his expectation, he was afraid of being apprehended, and choſe to leave Ireland, taking with him the earl of Tirconnel, whom he had drawn into his plots [t]. When he was come to a place of ſafety, he gave out, that the outrages committed in Ireland upon the catholics, had conſtrained him to forſake his eſtate and country. But the king repelled this aſperſion by a ſort of apology publiſhed on the occaſion, not enduring that the world ſhould think him a proſecutor of the catholics. The earl of Tir-oen flies from Ireland on pretence of religion. Sept. Howes. The king's apology. Nov. 15. Du Cheſne. Act. Pub. xvi. p. 664.

In the beginning of the year, the archduke and the infanta his ſpouſe, ſent into Holland father Ney, provincial of the order of St. Francis, to propoſe a peace with the ſtates of the United Provinces. Ney lying concealed for a time at Ryſwick, was at laſt admitted to audience by prince Maurice, who told him plainly, there was no hopes of a peace, unleſs Negotiation for a peace with the Low-Countries. Grotius. Act. Pub. xvi. p. 663. Negot. de Jeannin. Thuanus. l. 128.

q In this ſeſſion it was enacted, that every perſon which is drunk, ſhall forfeit for every offence five ſhillings, to be paid to the church-wardens of the pariſh.——In the beginning of this year 1607, was begun a new Engliſh tranſlation of the Bible, which was publiſhed in 1611, and is the ſame as is now in common uſe. See an account of it, and of the tranſlators, in Fuller. Cent. 17. p. 44.

r And in Warwickſhire, Leiceſterſhire, &c. The cauſe of their diſſatisfaction was, the incloſing of commons and other lands; and ſo all the miſchief they did, was to break down hedges, fill up ditches, and lay open all incloſures. Howes, p. 890.

s So called from a great pouch he wore at his girdle.

t With him went away his wife, his two younger ſons and his nephew; as alſo the earl of Tirconnel's ſon, and brother, and the lord Dengannon. Howes, p. 891.

James I, 1607. the United Provinces were owned for a free and independent ſtate. This declaration obliged the father to return to Bruſſels, from whence he came ſome time after, with a writing ſigned by the archduke and the infanta, with which the ſtates were ſatisfied, provided it was ratified by the king of Spain, which ratification Ney undertook to procure. Henry IV. hearing what was tranſacting at the Hague, diſpatched preſident Jeannin to offer his mediation to the ſtates, which was accepted. But as they feared to create jealouſy in king James, if France alone was concerned in the affair, they wrote to him for his advice and aſſiſtance, and ſhortly after, ſent an ambaſſador to inform him more particularly of the ſituation of their affairs. Mean while, the king of Spain's ratification being come, the ſtates found it full of equivocal and captious expreſſions, which gave them occaſion to require explanations. This prolonged the negotiation, the ſucceſs whereof ſhall be related hereafter [u].

1608. A prieſt and jeſuit executed. Howes.

April 11, 1608, George Gervis, a ſeminary prieſt of Rheis, was hanged at Tyburn, and the 23d of June, Thomas Garnet, a jeſuit, had the ſame fate. Garnet was offered a pardon, provided he would take the oath of allegiance, which he reſolutely refuſed.

Death of the lord treaſurer. Wilſon. Howes. Saliſbury ſucceeds him.

Thomas Sackville, earl of Dorſet, and lord-treaſurer, dying ſuddenly as he was ſitting at the council-table, Robert Cecil, earl of Saliſbury, ſucceeded him in his poſt. He was a lord of a great genius, and though crooked before and behind, nature ſupplied that defect with noble endowments of mind.

The king ſpends abundance of money. Coke. Wilſon. Oſborn.

The chief concern of the miniſters was to ſee that the king did not want money. He had occaſion for great ſums, being extremely liberal, or rather prodigal [w], and it may well be thought, that in procuring money for the king, the miniſters did not forget themſelves. But this is ſo cuſtomary a thing with favorites and miniſters, that it would be wrong to upbraid theſe with it in particular. As to foreign affairs, they were little regarded throughout this whole reign.

Monopoly of cloths, Coke, p. 69, &c.

One of the propereſt means deviſed to procure the king money, was the monopoly of the ſale of cloths, at the ſollicitation of a certain merchant, who, in all appearance, dearly purchaſed his patent. At this time, the Engliſh were not

[u] July 4, Sir Thomas Knevet was ſummoned to the houſe of peers by the title of baron of Eſtrycke. And November 26, Sir Gervaſe Clifton, by the title of baron Clifton of Layton Bromeſwold. Howes, p. 890, 891.—This year the Banqueting-houſe at White-hall began to be rebuilt. Ibid.

[w] Oſborn ſays, that the nation was oppreſſed with impoſitions, monopolies, aids, privy-ſeals, concealments, pre-termitted cuſtoms, &c. beſides forfeitures upon penal ſtatutes, &c. which were ſpent upon the Scots. Sect. 17.

ſkilled

skilled in the art of dressing and dying English woollen manufactures. They sent them into Holland white, and the Hollanders, after they had dyed them, sent them back, and sold them in England. The merchant I just mentioned, intimating to the king and ministry, that a great profit would accrue to England, if the cloths were dressed at home, obtained a patent to dress and dye them, exclusive of all others. Then the king published a proclamation, forbidding all persons to send any white cloths abroad: whereupon the Hollanders prohibited the importation of dyed cloths from England. So the merchant who obtained the patent, not being able to sell his dyed cloths any where but in England, was forced to dress and dye only a small quantity. This raised such clamours amongst the cloth-weavers, that the king was obliged to permit the exportation of a certain quantity of white cloths. At length, the court by degrees connived at the offenders, and the woollen-trade continued upon the same foot as before [x]. James I. 1608.

The same year, the king ingrossed to himself the selling of allum, which had been lately found out in England, and prohibited the importation of foreign allum by proclamation [y]. and of allum. Howes, p. 898.

Whether the king intended to be revenged of the Hollanders for breaking his measures with respect to the woollen manufactures, or only to draw money from them, a proclamation was published, prohibiting all foreign nations to fish on the coasts of Great-Britain. This occasioned the next year a treaty, whereby the Hollanders engaged to pay an annual sum for leave to fish. The king would have afterwards broke the treaty, and taken from them the licence he had granted them; but they maintained their privilege against his consent, by guarding their fishing-boats with men of war. James being a pacific prince, did not think this a sufficient motive to quarrel with them. Dispute between the king and the Hollanders about the fishery. Coke.

[x] Alderman Cockaine, with some rich citizens, having promised Rochester, Northampton, and the lord treasurer, great sums of money, they procured him a patent for dressing and dying cloths, and got the king to seize into his hands the charter of the merchant adventurers, for transporting of white undressed cloths. But by reason of the Hollanders prohibition, and Cockaine's dying and dressing cloths worse and dearer than they were in Holland, infinite numbers of poor people lay idle and were reduced to a starving condition. So the matter fell to the ground. Coke, p. 70.

[y] At this time Sir John Bourchier (joining with the lord Sheffield president of the North, Sir Thomas Challoner, Sir David Fowlis, and others who had lands in the North) brought the making of allum to perfection in England, which with great charges had been fetched from foreign parts, particularly from Italy; and the king took the whole traffic thereof to himself. Howes, p. 898.

James I. 1608. Archbiſhop Bancroft never ceaſed to plague the puritans, to oblige them to conform to the church of England. For that reaſon, great numbers of theſe people reſolved to go and ſettle in Virginia, diſcovered in the late reign by Sir Walter Raleigh. Accordingly, ſome departed for that country; but the archbiſhop ſeeing many more ready to take the ſame voyage, obtained a proclamation, enjoining them not to go without the king's expreſs licence. The court was apprehenſive this ſect would become in the end too numerous and powerful in America. This very year the archbiſhop made a freſh attempt concerning the twenty-one articles formerly mentioned: but the oppoſition of the judges was ſo ſtrong, that the king, however deſirous he was to pleaſe the prelate, durſt not proceed.

Bancroft perſecutes the puritans.

He repeats the exhibition of his articles. Coke.

The treaty at the Hague concerning a peace between the archduke and the ſtates, was an important affair, in which it ſeemed, the king ſhould have had a great ſhare, and yet he appeared not to be much concerned. However, he made two treaties with the ſtates, the firſt whereof was concerning the payment of what was due to him. The other contained an alliance, which was not to take place till after they had concluded a peace with Spain [z]. Then he ſent Sir Robert Spencer to the Hague, to aſſiſt at the negotiations of peace, jointly with Sir Ralph Winwood, his ambaſſador in ordinary. Numberleſs difficulties occurred in the affair, the chief whereof was, that the king of Spain refuſed to ſpeak plainly with reſpect to the liberty of the ſtates. He had ratified the archduke's declaration, but it was on condition the peace ſhould be made, and the ſtates would treat only upon the foot of free ſtates. Beſides, in the king of Spain's ratification were certain ambiguous expreſſions, which the ſtates were not pleaſed with. They knew alſo, that whilſt they were negotiating at the Hague, the Spaniſh court was endeavouring to gain the king of England, and for that purpoſe had ſent to him Don Fernando de Gironne, a lord of great diſtinction, as ambaſſador extraordinary. This made the ſtates extremely uneaſy, and the more, as James affected on all occaſions to intimate, that he looked upon them as rebels. He applied to their caſe the general maxims of ſovereignty, and firmly believed, what he would have had univerſally thought, that ſubjects ought not to withdraw their allegiance from their prince upon any

Continuation of the treaty for a peace in the Low-Countries. Grotius. Act. Publ. xvi. p. 667. —678. Winwood's Mem. t. ii. p. 328, &c.

James openly blames the ſtates. Welwood.

[z] Theſe two treaties bear date June 26. The ſums due from the ſtates to king James, are in the former treaty computed at eight hundred and eighteen thouſand, four hundred and eight pounds ſterling. See Rymer's Fœd. tom. xvi. p. 674.

account

account whatſoever. Hence may be judged what effect his mediation could have. Accordingly his ambaſſadors made a very little figure throughout the whole negotiation. Jeannin managed every thing, the Engliſh ambaſſador acting but faintly, and ſhowing little or no deſire that the treaty ſhould ſucceed. James I. 1608.

What endeavours ſoever Jeannin might uſe, it was not poſſible for him to cauſe the parties to conſent to a peace. And therefore he propoſed at leaſt a twelve or fifteen years truce, during which both parties ſhould remain in poſſeſſion of what they held without prejudice to their rights. But the ſtates rejected it, unleſs their liberty was plainly eſtabliſhed. Whereupon the ambaſſadors of Spain and the archduke withdrew, as ſeeing no likelihood of peace or truce. However, Jeannin continued his inſtances to perſuade the ſtates to accept of the ratification as it was, and conſent to ſome other articles, on which there had been great debates. At length, by his many repreſentations, he obtained of the United Provinces, Zealand excepted, which ſtood out till the next year, what he deſired to accompliſh for the concluſion of the truce.

King James did not gain much credit by this negotiation. Beſides his leaving every thing to the king of France, he acted not with ſincerity, if we may believe preſident Jeannin, who in a letter to the king his maſter on this occaſion, ſpeaking of king James, ſays, "He pretends a willingneſs to procure "a peace, and yet obſtructs it, by publicly ſaying, he cannot "forbear condemning the ſtates for rebelling againſt the king "of Spain their ſovereign." Indeed, Richardot did not ſcruple to own in a letter to Jeannin, that the king of Spain's firmneſs was entirely owing to the king of England's promiſe, that the liberty of the ſtates ſhould not be mentioned in the treaty of truce[a]. Henry IV. had no great opinion of James, as appears Teſtimony of preſident Jeannin. Lettres de Jeannin.

[a] The earl of Saliſbury, in a letter to Sir Ralph Winwood, of the 23d of December 1608, clears the king from this imputation. And in another letter of the 1ſt of January 1608-9, to Sir Charles Cornwallis, then ambaſſador in Spain, he tells him, "That Richardot "had reported he was the perſon that "had given this promiſe to Spain. And "adds, I am ſure you never received "any ſuch direction from me, that am "appointed your principal correſpon-"dent, ſo his majeſty is ſo much per-"ſuaded of your faith and diſcretion, "that you will not intermeddle in any "thing beyond the ſcope of your direc-"tion." In another letter of the 27th of January 1608-9, to the ſame Sir Charles, the earl ſays, "Richardot "does not directly clear you, and caſt "the imputation upon the Spaniſh am-"baſſador, who ſhould have given ſuch "hopes by letters, as having received "them from the mouth of us that are "of his majeſty's council. But the "ambaſſador being challenged, did pro-"teſt to the contrary, with all the "vows that may be. So we ſee it was "a device ſet on foot at Bruſſels, to co-"lour the delays from Spain, and to "ſave

James I. 1608. appears from his writing to Jeannin, "that he knew what "that—was capable of, but however it did not break his reſt."

1609. Truce of twelve years in the Low-Countries. Grotius, Howes.

The province of Zealand, reſolving to follow the ſentiment of the other provinces, the conferences were renewed at Antwerp, where a twelve years truce was ſigned, April the 9th, 1609. By the truce, the ſtates obtained that the king of Spain and the archduke owned them as free and independent, and even avoided the renouncing the navigation and trade to the Indies, which had been a principal obſtacle to the negotiation.

James diſcovers more and more his principles concerning the regal power. Books upon that ſubject. Coke, p. 63.

James diſcovered no ſatisfaction at the advantage obtained by the ſtates, becauſe he conſidered it as a precedent very dangerous and prejudicial to the ſovereign authority of kings, with which he was ever extremely poſſeſſed. This evidently appeared at preſent, by his licenſing two books, which maintained the moſt extravagant maxims of arbitrary power. The firſt, writ by Cowel doctor of civil law [b], laid down theſe three principles:

1. That the king was not bound by the law, or his coronation-oath.

2. That the king was not obliged to call a parliament to make laws, but might do it alone by his abſolute power.

3. That it was a great favour to admit the conſent of the ſubjects in giving ſubſidies.

The other book was compoſed by Dr. Blackwood a clergyman, who laid down this principle, that the Engliſh were all ſlaves by reaſon of the Norman conqueſt.

He diſappoints the juſtice of the parliament upon the authors of theſe books. Ibid. Howes, p. 893.

The parliament which met the next year, took this affair to heart, and would have ſeverely puniſhed the authors of theſe books; but the king interpoſed, and fruſtrated the parliament's deſign, by publiſhing a proclamation, to forbid the reading of theſe books, and to order the copies to be delivered to the magiſtrates. But ſuch proclamations are uſually ill obeyed, eſpecially when it is not the king's intereſt to ſee them ſtrictly executed [c].

ſave themſelves from being diſavowed in their proceedings." See the Collection of State Papers in the reign of James I. p. 460, 472, 474. where it ſeems to be plain that it was all a fiction of Richardot's to ſerve his maſter's turn.

[b] Cowel was not a clergyman, (as Rapin by miſtake ſays) but doctor, and profeſſor of civil law in Cambridge, and vicar general to archbiſhop Bancroft. He publiſhed a book called the Interpreter, containing the ſignification of ſuch words and terms as are mentioned in the law-writers and ſtatutes. It was printed at Cambridge firſt in quarto, in the year 1607. It hath been enlarged and reprinted in folio; but in all the later editions, the dubious and offenſive paſſages have been corrected or omitted.

[c] The fifteen years letters patents granted by queen Elizabeth to the Eaſt-India company expiring about this time, king James granted them, in May this year, an enlargement of their privileges, and a charter whereby he incorporated them for ever. Howes, p. 993, 994.

The

The king's proceedings increaſed the diſcontent of moſt of the Engliſh. The proclamations which were every day publiſhed, and whereof ſeveral were upon ſubjects not uſed to be decided by the former kings without the concurrence of the parliament, and the indiſcreet ſpeeches of the courtiers, who rallied the people's privileges, bred ſuſpicions and jealouſies, which the king was not careful enough to ſtifle in their birth. On the other hand, his condeſcenſion for the Roman catholics, whoſe cauſe he eſpouſed on all occaſions, their acceſs and credit at court, even to their being admitted into the moſt important offices and into the miniſtry itſelf, created fears in the people, and cauſed them to ſuſpect ſome plot was formed againſt the proteſtant religion. The miniſters knowing theſe diſpoſitions, were juſtly apprehenſive of meeting great difficulties in the parliament, which was to ſit the 9th of February. The king intended to procure money, of which he was in great want, though he had no war upon his hands, nor any affair which ſeemed to require an extraordinary aid. It was therefore neceſſary at leaſt to give the parliament good words, and try to palliate his immenſe expences ſince his acceſſion to the crown. But James believing it to be derogatory to the dignity of a ſovereign, to make an apology himſelf to his ſubjects, ordered the earls of Suffolk and Saliſbury to do it for him.

James I. 1610.

The people are diſſatisfied. Coke.

The papiſts are countenanced. Oſborn.

The earl of Saliſbury, who was the ſpokeſman, declared to both houſes, "That they were met, firſt to ſupply his majeſty's "wants; ſecondly to redreſs the people's grievances." Then he told them, "that the king, willing to ſhow them a ſingular "mark of his favour, had reſolved to create his eldeſt ſon "prince Henry prince of Wales during the ſeſſion of parliament, though he was free to do it at any other time, as by "many precedents was evident." Having thus endeavoured to gain the king the good-will of both houſes by ſo ſtrong an argument of his majeſty's regard for them, he demonſtrated, "it was not without juſt reaſons that the king de"manded money, ſince what he had received had been laid "out in very neceſſary expences: firſt, as for the three hun"dred and fifty thouſand thouſand pounds due in the late "queen's time, he no ſooner received the money with one "hand, but he paid it away with the other, in redeeming "the crown-lands ſhe had mortgaged to the city of London[d]. "Secondly, He was forced to keep on foot for ſome time an "army of nineteen thouſand men in Ireland, not deeming it

Speech to the parliament from the king, Wilſon, p. 680, etc.

[d] July 3, 1607, king James repaid the city of London 60,000l. that had been borrowed by queen Elizabeth on February 3, 1598. Howes, p. 890.

"proper

James I. 1610.

"proper to make peace with Spain without ſword in "hand. Thirdly, He was obliged to bury queen Elizabeth, "whoſe funeral was very expenſive [e]. Fourthly, His own "journey from Edinburgh to London could not be perform-"ed without money; for it would not have been decent for "a king to come the firſt time to his kingdom like a private "perſon, and without a numerous train. Fifthly, Neither "was it fit that his royal conſort, with his children, the "kingdom's future hopes, ſhould be expoſed to robbers, "without a guard and retinue, and conſequently their jour-"ney muſt have been very chargeable. Sixthly, The king "of Denmark's viſit was ſo honourable to his majeſty, that "he could not diſpenſe with giving him a ſuitable and mag-"nificent reception. Seventhly, The ambaſſadors who came "from all parts to congratulate him upon his acceſſion to the "crown of England, could not be ſent back without preſents "for the honour of the Engliſh nation, beſides the charge to "entertain them during their ſtay [f]. Eighthly, the king was "obliged to ſend ambaſſadors to the princes by whom he was "congratulated, and to return their civilities [g]."

Theſe were the cauſes, according to the orator, of the king's wants, and not, as ſome affected to give out, his indiſcreet bounty to his ſervants. "But (added he) how could "a bounty ſo worthy of a king be blamed? If he did not give "to his ſervants, they would be miſerable in a country "abounding with riches. As for the Scots, it muſt be re-"membered, that though they were not born in the kingdom, "his majeſty was born among them; and not to have them "taſte of the bleſſing he had attained, were to have him "change his virtue with his fortune. Upon all theſe "accounts his majeſty deſires the commons to ſupply his "wants, which mark of eſteem could not be denied to a "king, who is not only the wiſeſt of kings, but the very "image of an angel, that has brought good tidings to the "Engliſh, and ſecured them in the enjoyment of perfect "happineſs; to a king, who by his vaſt knowledge and noble "endowments deſerves the title of Defender of the Faith; "to a king who has ſhut the back-door by which England

[e] Her funeral charges were 17,428l. And the expence of the king and his train, on his journey from Scotland to London, amounted to 10,752l. State of King James's Revenue, p. 12.

[f] When the marquis of Roſny, the French ambaſſador, landed at Dover, the king ſent him word, he could not bear the charges of the ambaſſadors by reaſon of their number. See Mem. de Sully. Rapin.

[g] The charge of the foreign ambaſſadors that came to England was 31,400l. And of the Engliſh ambaſſadors ſent into foreign parts, 20,790l. State of the Revenue, p. 12.

"was

" was liable to invaſions, and who only ſeeks that every man James I.
" may live happy under his own olive. That none will won- 1610.
" der or ſtartle at the king's deſiring a ſupply, but ſuch as
" ſtudy to ſerve their own turns, and believe nothing but
" what they find written in the ſtories of their own ig-
" norance. Among whom are to be reckoned thoſe, who
" hearing of an order to bind up the printed proclamations in
" a book, that the better notice may be taken of the things
" contained in them, have ſpread a report that the king in-
" tended this parliament to make proclamations equal to the
" laws, which never entered into his thoughts. That ſo far
" is he from governing by will and pleaſure, that he is rea-
" dy to hearken to any motion from the two houſes, pro-
" vided they keep a juſt proportion, and obſerve what is due
" to a great and gracious king."

This ſpeech produced not the effect hoped by the king and his miniſters. Some of the commons loudly complained of the king's prodigality and exceſſive bounty to the Scots [h]: they ſaid, the whole wealth of England would not ſerve to ſatisfy their avidity; that ſince the king's acceſſion, gold and ſilver were as common in Edinburgh as ſtones in the ſtreets, and that all the riches of England flowed thither, where they were ſwallowed up as in a gulph, and never returned. Others ſaid, it was viſible the king was gradually undermining the nation's privileges by continual incroachments; that he deſigned to eſtabliſh the civil law in the room of the common law, and had dropped ſome expreſſions to that purpoſe at his own table: finally, he had approved of a book lately written, the deſign whereof was to render the common law contemptible.

Complaints againſt the king in the houſe of commons; Wilſon, p. 681.

But what made moſt noiſe in the lower-houſe was the high-commiſſion, which exerciſed in the kingdom a kind of inquiſition for matters of religion and ſtate. For the better underſtanding this cauſe of complaint, it muſt be remembered that when Henry VIII. was declared ſupreme head of the church of England, he appointed Cromwell for his vicegerent in religious affairs, with power to exerciſe the ſupremacy in his name. After the tragical end of this firſt and only vicegerent, this office was executed by commiſſioners: and this is what was called the high-commiſſion, which continued during the lives of Henry VIII. and Edward VI. and ceaſing in Mary's reign was revived by Elizabeth: in her reign the high commiſſion

particularly about the high-commiſſion. Ibid. Coke, p. 63.

[h] His free gifts out of the exchequer, 14,000l. yearly. See State of the Revenue.

exerciſed

James I. 1610. exercised its authority with great moderation. But the case was otherwise under James I. This prince, as I have frequently observed, mortally hated the puritans; and after his proclamation for uniformity, it was the high commission's business to see his injunctions executed. It may be easily guessed that the commissioners, who were all named by the king, were not favourable to the puritans: accordingly they very rigorously exercised their power. Had they stopped there, this severity upon a set of obstinate people, as they were reckoned, and whose number was small in comparison of the episcopalians, would not have excited the complaints of the lower-house. But they went much farther. I have observed, that because the puritans were against the hierarchy, the king inferred they were also against monarchy, and there were but too many who laboured to confirm him in that notion. For this reason, all who were not very submissive to the king's orders, or great assertors of the privileges of the people, were affectedly called Puritans [k]. Under that pretence the high-commission proceeded against them, and wanted not means to molest them. Thus, to be really a protestant and member of the church of England, the communicating in that church, and complying with the external worship, were not sufficient, the king's authority was also to be acknowledged as extensive as his flatterers were pleased to make it. They who ventured to censure his conduct and question his unlimited power, were deemed infected with puritanism, and to reason upon puritannical principles. So, there were then two sorts of puritans, church-puritans and state-puritans. But the high-commission affected to confound them one with another, in order to exercise authority upon both. This was the occasion of the complaints in the house of commons.

Osborn, § 16.

The king being informed of what was talked in the parliament, sent for both houses to Whitehall, and endeavoured to show he was unjustly complained of. But withal he intimated, by some expressions which plainly discovered his sentiments, that if he did not rule with an absolute sway, it was not for want of power, but entirely owing to his equity.

The king's speech to both houses. Wilson, p. 682.

He told them, "Though the king's heart be in the hands "of the Lord, yet he will set it before the eyes of the "people; assuring them, that he never meant to govern by

[k] Under that general term, says Osborn, were comprehended not only those brain-sick fools, as did oppose the discipline and ceremonies of the church, but such as out of mere honesty restrained the vices of the times, were branded by this title, § 16.

"any law, but the law of the land; though it be diſ- James I.
"puted among them, as if he had an intention to alter the 1610.
"law, and govern by the abſolute power of a king. He
"knew, he ſaid, the power of kings, reſembling it to the
"power divine: for as God can create and deſtroy, make
"and unmake at his pleaſure, ſo kings can give life and
"death, judge all, and be judged of none. They can exalt
"low things, and abaſe high things, making the ſubjects
"like men at cheſs, a pawn to take a biſhop [k]. And when
"he had raiſed the king's power to the height, with, Ye are
"Gods, he brings them down again with, They ſhall die like
"men: and that all kings, who are not tyrants or perjured,
"will bound themſelves within the limits of their laws; and
"they that perſuade them the contrary, are vipers and peſts
"both againſt them and the commonwealth. "Yet as it is
"blaſphemy to diſpute what God may do, ſo it is ſedition in
"ſubjects to diſpute what a king may do in the height of
"his power. And as he will not have his ſubjects diſcourſe
"of what he may, ſo he will do nothing but what ſhall be
"conſonant to law and reaſon." Then he ſtrives to mitigate
"the ſharpneſs of the words dropped from him at his table,
"to the diſparagement of the common law, on which he be-
"ſtows very high encomiums; but recalling himſelf, he
"points out ſome corruptions in it [l].

"After which, he addreſſes himſelf to the houſe of com-
"mons, and not only thanks them for the bonfire they made
"of certain papers, which were preſented as grievances from
"ſome diſcontented murmuring ſpirits; inſtructing them how
"to receive ſuch grievances hereafter: in which he would
"have them careful to avoid three things.

"The firſt, that they meddle not with the main points of
"government, that is his craft. To meddle with that were
"to leſſen him, who hath been thirty years at the trade in
"Scotland, and ſerved an apprenticeſhip of ſeven years here
"in England.

"Secondly, He would not have ſuch ancient rights as he
"hath received from his predeceſſors accounted grievances;

[k] But the king left out the power of a pawn to take a queen, or check a king. Wilſon.

[l] He wiſhed that three things eſpecially were reformed in the common law: 1. That it were written in the vulgar tongue, and made plain to the people's underſtanding. 2. That it might have a ſettled text in all caſes, and the expoſition of it were fixed by act of parliament. 3. That the divers contrary reports and precedents, and the ſeveral ſtatutes and acts of parliament that croſſed one another, might be reviewed and reconciled. See Wilſon, p. 682.

"that

James I. 1610. "that were to judge him unworthy to enjoy what they left "him."

"And laſty, That they ſhould be careful not to preſent "that for a grievance, which is eſtabliſhed by a law; for "it is very undutiful in ſubjects to preſs their king wherein "they are ſure to be denied. Complaints may be made unto "them of the high-commiſſioners, let the abuſe appear "then, and ſpare not: there may be errors among them; "but to take away the commiſſion, is to derogate from "him; and it is now in his thoughts to rectify it in a good "proportion.

"Then he ſhews the emergent cauſe of his great ex-"pences, ſince his coming to the crown, which makes him "deſire a ſupply from them. And if they refuſe to grant it "him, his reputation will ſuffer at home and abroad; for "the world will think it want of love in them, or merit in "him; that both leſſened their hearts, and tied up their "hands towards him."

The commons hide their reſentment.

There was need of no great penetration to perceive in the king's ſpeech, the maxims on which he pretended to have a right to govern the Engliſh nation, and his idea of monarchy in all countries without diſtinction. He ſpoke ſo plainly, that it would have been difficult not to underſtand him. If it was ſedition in ſubjects to diſpute about the extent of the regal power, it neceſſarily followed, the king might do any thing; and if he ruled not like a tyrant, it was not for want of power, but entirely owing to his juſtice and clemency. In ſhort, if the whole ſpeech be examined, there is ſcarce a word but what tends either, plainly or ambiguouſly, to eſtabliſh in the king an abſolute and deſpotic power. The Engliſh had not been uſed to hear their kings ſpeak in this manner. Henry VIII. the moſt arbitrary of all, managed the parliament, in order to procure acts in favour of the ſovereign, but never pretended to eſtabliſh his authority upon ſuch principles. So, the commons evidently perceiving what the king had in his thoughts, reſolved ſtrenuouſly to oppoſe his deſigns. But it was not yet a proper ſeaſon to begin: ſuch great bodies require time to form and execute their projects. They feigned therefore to take no notice of the maxims the king would have eſtabliſhed, and granted a ſubſidy, though a much ſmaller than he expected [m]. This done, the parliament,

[m] They granted him one ſubſidy, which brought into the exchequer 69,666l. and a fifteenth and tenth, which amounted to 36,500l. See Truth brought to Light, p. 10, 70. The clergy granted alſo a ſubſidy. See Stat. 7 Jac. cap. 22.

having ſat till July 23, was prorogued to the 16th of October [n]. James I. 1610.

Before the end of the ſeſſion, the king created his eldeſt ſon Henry prince of Wales [o], and ſettled his houſhold, ſo that the young prince kept his court at St. James's, whilſt the queen kept hers at Somerſet-houſe, to which ſhe gave the name of Denmark-houſe; but it was called ſo only during her life and among her own people. Thus the king had three courts to maintain, which was very expenſive.

Jour. Parl. Henry created prince of Wales. June 4. Act. Publ. tom. xvi. p. 688.

All the hiſtorians affirm the prince of Wales was of a very different character from that of the king his father. Though he was but ſixteen years old, there appeared in him principles of equity, juſtice, moderation, magnanimity, which ſo gained him the love and eſteem of the Engliſh, that the king could not forbear being jealous. His court was well regulated, no extravagancies or indecencies were ſeen there, except perhaps the too frequent maſquerades, which were then much in vogue, becauſe the queen was paſſionately fond of them. As for the king, it is ſaid he did not ſpend much of his time in ſtate-affairs, but entirely truſted to his miniſters. It may be this is a little aggravated, though it is not very unlikely that a prince who was in peace with all the world, and a great lover of books and hunting, ſhould leave common affairs to his miniſters.

Wilſon, p. 684, 685. Howes. Character of the prince of Wales. Ibid. Welwood, p. 19, 20. Oſborn. § 37, 38. Welwood.

Whilſt James lived in profound tranquillity, the eyes of all Europe were fixed upon Henry IV's grand project to humble the houſe of Auſtria. This houſe daily grew ſo formidable, that it might very juſtly raiſe the jealouſy of the other ſtates. What had lately happened on account of the ſucceſſion of John William duke of Cleves, was a clear evidence how attentive the houſe of Auſtria was to aggrandize itſelf on all ſides. The duke of Cleves dying the 25th of March, 1609, his four ſiſters, or their heirs, claimed his inheritance, containing the duchies of Cleves and Juliers, and

War about the ſucceſſion of the duke of Cleves. Grotius. Wilſon.

[n] The acts made in this ſeſſion were theſe: 1. That all ſuch as are to be naturalized, or reſtored in blood, ſhall firſt receive the ſacrament, and take the oaths of allegiance and ſupremacy. 2. An act for the due execution of divers laws and ſtatutes againſt rogues, vagabonds, and other lewd and idle perſons; whereby it is provided that there ſhall be a houſe of correction erected in every county, to ſet ſuch perſons to work. 3. An act to avoid the double payment of debts. See Stat. 7 Jac.

[o] He was knighted before, in 1609. Upon which occaſion the king forgot not to require the aid uſually paid the kings of England upon making their eldeſt ſon a knight. This aid was twenty ſhillings out of every knight's fee; and the ſame out of every twenty pounds worth of lands immediately holden of the king in ſocage: and amounted in all to 21,800 l. See Rymer's Fœdera, tom. xvi. p. 678, etc. Declarat. of the Revenue, p. 10.

James I. 1610. the earldoms of la Marck, Bergh, Ravenſbergh, and Ravenſtein. The chief competitors were, Wolfgang-William, ſon to the duke of Newburg, John duke of Duexponts, both of the Palatin family; John Sigiſmund, elector of Brandenburg; Chriſtian II. elector of Saxony; and Charles of Auſtria, marquiſs of Burgaw. Whilſt theſe princes contended about the ſucceſſion, the emperor Rodolphus II. pretended it was to be committed to his truſt, till the affair was decided. To that purpoſe, he ſent his orders to Leopold of Auſtria, biſhop of Straſburgh, who entering the duchy of Juliers at the head of an army, took the capital city, and left a garriſon in it. This proceeding convincing the elector of Brandenburgh and the duke of Newburgh, that whilſt they were contending about the duke of Cleves's ſucceſſion, they both ran the riſk of loſing it, they joined in a league, and taking poſſeſſion of the reſt of the deceaſed duke's dominions, implored the aſſiſtance of France and Holland to ſupport them. Henry IV. who had now made great preparations againſt the houſe of Auſtria, promiſed to aſſiſt them in perſon. At the ſame time, he ordered the troops he had in Holland, to be ready to join him in the duchy of Cleves, and deſired the ſtates to ſend thither alſo prince Maurice, with part of their own forces. But whilſt he was preparing for this expedition, he was murdered by Ravaillac, a frier, in his own coach, in the midſt of Paris [p].

Henry IV. is ſtabbed May 3. Camden's Annals.

The murderer's confeſſion [q] diſcovered, that this regicide was committed in conſequence of that doctrine of the Romiſh church, which was ſo diſagreeable to king James, and the jeſuits were univerſally believed to be concerned in it. Wherefore James finding how much it behoved him to remove from his perſon men who held ſo deteſtable a doctrine, iſſued out a freſh proclamation, commanding all jeſuits and prieſts to depart the kingdom, and all recuſants not to come within ten miles of the court. Then he cauſed all his ſubjects to take the oath of allegiance, which the parliament, then ſitting, had firſt taken.

Proclamation to baniſh the jeſuits. June 4. Act. Pub. xvi. p. 690. Wilſon. p. 684. Howes.

The court of Spain was generally ſuſpected of contriving the king of France's murder, becauſe that prince was known to be making great preparations againſt the houſe of Auſtria,

James has a mind to marry prince Henry in Spain. Wilſon. Winwood's Mem. t. iii. p. 291.

[p] Soon after this, viz. Auguſt 19, king James renewed the league between the kingdoms of England and France, and received from Lewis XIII. ſixty thouſand pounds ſterling, due to the crown of England. See Rymer's Fœd. tom. xvi. p. 694—706.

[q] At his examination he boldly confeſſed he did it, becauſe the king did not take arms againſt the Huguenots, and that his making war againſt the pope, is the ſame as to make war againſt God. "Seeing the pope was God, and God was the pope." Cave.

and

and that houſe was not ſeen to prepare to oppoſe his deſigns. Mean while, whether James did not believe it, or thought it adviſeable to gain the friendſhip of a houſe ſo formidable to the proteſtants, he ſent to Sir Charles Cornwallis [r] his ambaſſador to negotiate a marriage between the prince of Wales and the king of Spain's eldeſt daughter [s]. James I. 1610.

Richard Bancroft archbiſhop of Canterbury, and grand adverſary of the puritans, died about this time. He had procured the king's patent to found a college at Chelſea, for the maintenance of a certain number of able controverſiſts, who were to combat with their ſermons and writings the adverſaries of the church of England, as well puritans as papiſts; but his death put an end to the project [t]. George Abbot, who ſucceeded him, was of a very different character. He was even ſuſpected and accuſed of being a puritan, becauſe he would not, like his predeceſſor, proſecute that ſect, nor blindly follow the maxims of the court with reſpect to government. Death of Bancroft. Wilſon. Abbot ſucceeds him.

The parliament meeting the 16th of October, the commons were in a humour which pleaſed not the king. And therefore he determined to diſſolve the parliament by proclamation the 31ſt of December, having firſt prorogued it [u]. The miniſters finding by the motions made in the lower-houſe, that a reſolution was taken to uſe the moſt effectual methods to redreſs the grievances, thought it againſt the king's and their own intereſt, to ſuffer the commons to execute this project. The pretences for diſſolving the parliament ſet forth in the proclamation, were, The parliament is diſſolved. Journ. Parl. Wilſon. Howes. p. 909.

"That the king had propoſed many things far differing "and ſurpaſſing the graces and favours of former times, both "in nature and value, in expectation of a good concluſion of "ſome weighty cauſe, which had been there in deliberation, Coke, p. 64.

[r] Rapin, by miſtake, ſays, the king ſent the lord Cornwal.

[s] It appears from a letter of the earl of Saliſbury, that the firſt overtures of this match came from the court of Spain. See Winwood's Mem. tom. iii. p. 291, &c.

[t] There is a formal act of parliament in being for the eſtabliſhment of this college. Wilſon, p. 685. Dr. Welwood thinks, archbiſhop Bancroft was not the author, though he might be an encourager of this foundation. Notes on Wilſon, p. 685. The founder was Dr. Sutcliffe dean of Exeter. This college was to conſiſt of a provoſt and twenty fellows, to be choſen by the archbiſhop of Canterbury, the biſhop of London, and the vice-chancellors of the two univerſities. Sutcliffe endowed it with 300l. a year, and 4000l. in money. Three of the farms wherewith it was endowed, were afterwards adjudged by a decree in chancery to Mr. Halſey, as heir general to Dr. Sutcliffe. The ſite of this college coming in proceſs of time into the king's hands, it was founded anew for old and diſabled ſoldiers, as it now ſtands. See Fuller, B. X. p. 91, &c. Stow's Survey, vol i.

[u] It was prorogued to February 9, and not diſſolved till that day, as appears by the Journals of parliament.

James I. 1610. "not only for the ſupply of the neceſſities of his majeſty's "eſtate, but for the eaſe and freedom of his ſubjects: but "theſe being, the two laſt ſeſſions, little taken notice of, and "that the members, by reaſon of the length of the parlia- "ment, were debarred from the hoſpitality they kept in the "country, and that divers ſhires, cities, and boroughs, had "been burdened with expence of maintaining their mem- "bers; for theſe reaſons he diſſolved them." This parlia- ment, being the firſt of this reign, had ſat ſeven years. From its diſſolution to the year 1614, it had been the miniſtry's buſineſs to deviſe ways and means to ſupply the king's wants.

Taking of Juliers. Wilſon. Act. Pub. xvi. p. 684.

On the firſt of September prince Maurice became maſter of Juliers, with the aid brought by the marſhal de la Chatre from France, and the Engliſh forces that were in the ſervice of the ſtates, under the command of Sir Edward Cecil, the earl of Saliſbury's nephew [w].

1611. The court diverſions. Wilſon, p. 685.

The king being freed from the incumbrance of the parlia- ment, and reſolving never to call another, the courtiers great- ly applauded his deſign. An abſolute government was much more for their advantage than a government bounded by the laws, where the king in ſome meaſure depends on the people. The whole court was overjoyed at the king's ſhaking off the troubleſome yoke of a parliament. The three courts were a continued ſcene of mirth and diverſions, and eſpecially the queen's, where ſcarce any thing elſe was regarded. She had her favorites, as the king had his, that is, perſons whoſe avi- dity was to be ſatisfied [x]. The king however had not yet a favorite, according to the uſual ſenſe of the word, though, whilſt he reigned in Scotland, he had plainly ſhowed he could hardly be without one. Perhaps the ill offices the Engliſh and Scots did one another, had, till now, prevented the king from fixing. Beſides, this prince's taſte was very different from that of moſt others. Neither virtue, nor merit, nor emi- nent qualities, had any charms for him. He was to be cap- tivated only by ſomething external and dazzling, as youth, gracefulneſs of perſon, fine clothes, and the like. Never was prince ſo much taken with ſuch ſort of outward accompliſh- ments. I ſpeak upon the teſtimony of the lord Clarendon [y], and ſeveral others, and upon the characters of this prince's

The Engliſh and Scots ſtrive to give the king a favorite. Weldon.

[w] There were four thouſand Engliſh at this ſiege. Wilſon, p. 683. Rymer's Fœd. tom. xvi. p. 684. Rapin ſays brother by miſtake, he was ſon of Thomas Cecil earl of Exeter.

[x] Her chief favorite was the elder brother, the earl of Pembroke, and the king's the younger, Philip Herbert, earl of Montgomery. Wilſon, p. 685.

[y] Of all wiſe men living; he was the moſt delighted with handſome perſons and fine cloaths. Clarendon, vol. i. p.

favorites as well in England as Scotland, in whom no other merit was ever acknowledged. However, among the Engliſh and Scots who approached the king, there was not yet found any one poſſeſſed of the qualities requiſite to become his favorite. He wanted an unexperienced youth, whom he might mould as he pleaſed. The Engliſh and Scots accounting it a ſort of miracle that he could live ſo long without abandoning himſelf to ſome perſon, ſtrove with emulation to give him a favorite, without his perceiving it, by cauſing all the youths of their nation, whom they thought moſt capable of gaining his heart, to appear in his ſight. But hitherto neither had been able to compaſs their ends. It was not till 1611 that the Scots found means at laſt to gain the advantage of their rivals, by giving the king a favorite of their nation. James I. 1611.

Robert Carr becomes the king's favorite. Wilſon. p. 685. Spotiſwoo. Hiſtoric. d. Narrat. c. 4. Weldon. p. 61, &c.

Robert Carr, a young Scotch gentleman, about twenty years of age, juſt come from learning his exerciſes in France, going to court to wait on the lord Hay, his countryman, to whom he was recommended, that lord had no ſooner caſt his eyes on him, but he imagined him a fit perſon to fix the king's affection. With that view, he reſolved to ſhow him at court, and ſurprize the king by preſenting to him, as by chance, this new object. One day at a tilting, he choſe Carr to preſent his ſhield and device to the king, according to cuſtom. The king being on horſeback, and Carr advancing to perform his office, his horſe by ſome accident happened to ſtart, threw him down, and break his leg. The king ſorry for the misfortune, aſked who the young man was, and hearing his name was Carr, remembred he had had a page of that name in Scotland, which proved to be the ſame. This made him ſtill more concerned for his fall, and was the cauſe of his ordering him to be lodged in the palace, and all poſſible care to be taken of him. The tilting was no ſooner over, but he viſited Carr in his room; the next day he came again. In ſhort, as long as Carr kept his bed, not a day paſſed but the king ſpent an hour or two with him. He found in this young Scot no great depth of learning or experience, yet ſuch a calm outſide, as made him think there might be a fit harbour for his moſt retired thoughts. Wherefore he reſolved to fix his inclination upon this object, hoping to render him, by his inſtructions, as great a man as any of his miniſters. As ſoon as Carr was recovered, the king made him a knight, and gentleman of the bed chamber, and took the pains himſelf to teach him Latin. In a word, Carr became a perfect favorite. All ſuits, all petitions were addreſſed to him, and no favours granted but by his means. Happily for him George

James I. 1611. Hume, earl of Dunbar, a Scotchman, who was very much eſteemed by the king, died about this time. So Carr enjoyed the king's favour without a rival, and was raiſed to the office of lord treaſurer of Scotland, vacant by the death of Dunbar.

James ſides againſt the Arminians in Holland. K. James's Works.

The king's new inclination hindered him not from interpoſing in the diſputes cauſed in Holland by the diverſity of opinion upon certain religious points between the Gomariſts and the Arminians or remonſtrants. Theſe diſputes are ſo well known, that it would be loſt time to explain them. It will ſuffice to relate the occaſion of the king's interpoſing without being applied to, and even with an extraordinary zeal, for the preſervation of orthodoxy in that church, though foreign and preſbyterian.

See Wilſon. DuMaurier.

Franciſcus Gomarus and Jacobus Arminius, both divinity-profeſſors in the univerſity of Leyden, had ſome years ſince diſcovered a difference in opinion, concerning abſolute predeſtination, inamiſſibility of grace, and ſome other theological points. They begun their diſputes at the end of the laſt century; but the war at that time not permitting people to attend to their controverſy, it was confined to their ſchools till the year 1608. Gomarus followed the opinion of the firſt reformers, and Arminius took a contrary courſe. At laſt, the ſtates of Holland perceiving a ſchiſm was forming in their church, endeavoured to prevent it by means of a conference, which ſerved only to inflame it. The diſputes continued; each ſtrengthened his party; and the ſtates, being then employed in the important affair of the truce, could not attend to this, and prevent its conſequences. Arminius dying in 1608, his diſciples and followers continued the diſpute. At length they preſented to the ſtates a petition, containing the articles of their faith; and as, inſtead of the term Petitioners, they uſed that of Remonſtrants, they were ſo called, and gloried in the name. The Gomariſts preſented likewiſe their petition, ſtyling themſelves Contra-Remonſtrants. For ſome time the two parties were known by no other names: but afterwards, that of Contra-Remonſtrants was ſcarce heard of, whilſt Arminius's followers are ſtill called Remonſtrants or Arminians.

Arminius's profeſſorſhip was filled with Conrade Vorſtius, divinity-profeſſor at Steinfort, in the county of Bentheim. This divine had publiſhed a treatiſe concerning God, which had ſo excited the Gomariſts againſt him, that he was obliged to clear himſelf in a printed apology from their imputations. But however, before he came to Leyden, he was repreſented

as

as a real ſocinian. In 1611, he was attacked by ſome divines, who offered to ſhow damnable errors both in his treatiſe concerning God, and in his apology. Theſe two books being ſent into England, the king read them, and preſently after ſent to Sir Ralph Winwood, his ambaſſador at the Hague, a liſt of the errors he had remarked, ordering him withal to declare to the ſtates, that he was reſolved to publiſh in print, how much he deteſted ſuch abominable errors, and the allowers and tolerators of them. This was directly attacking the ſtates, who had acquitted Vorſtius. The ambaſſador preſented therefore on that occaſion a memorial, to which the ſtates returned a modeſt anſwer, though they had reaſon to complain of the haughtineſs the king treated them with. Before the king received the anſwer, he had ordered ſome of Vorſtius's books to be publicly burnt at London, Oxford and Cambridge. Notwithſtanding all this, Vorſtius was received at Leyden, and the king wrote againſt[z] him to the ſtates with ſo much vehemence, that, in his opinion, burning was too good for him. Nay, he threatned, that in caſe they continued to tolerate that profeſſor, he would cauſe the churches of England and Scotland to withdraw from the communion of that of Holland, and exhort all other reformed churches to follow the example. Winwood, when he delivered this letter, made a ſpeech to the ſtates, wherein he perfectly ſeconded his maſter's intentions.

James I. 1611. K. James's Works, p. 351. Novem. 25. Winwood's Mem. t. iii. p. 293, &c. 298. K. James's Works, p. 355.

Though the ſtates of Holland thought it very ſtrange to be thus checked, they believed however it was proper to ſhow a regard to the king of England, though without complying with what he required. To that end, they anſwered the ambaſſador, that they had proviſionally ordered, that Vorſtius ſhould forbear the functions of his office till the next aſſembly upon the affair, and in the mean time remain at Leyden only as an inhabitant. Winwood took this anſwer for a denial, and complained in very haughty terms, of their little reſpect for the king his maſter. Not long after, the king publiſhed a declaration againſt Vorſtius, wherein he uſes the ſtates of Holland very roughly. Then the ſtates, who were unwilling to quarrel with him, ordered Vorſtius to remove from Leyden to Gouda, where he had another ſettlement provided for him.

Winwood's Mem. t. iii. p. 316, 323.

It is difficult to gueſs the true cauſe of the king's great zeal on this occaſion. It ſeems, on the contrary, that he ought not, upon many accounts, to have interpoſed in a theo-

Remarks on this ſubject.

[z] The king's ſecond letter was ſent, though not delivered, before Vorſtius was ſettled at Leyden. K. James's Works, p. 358.

James I. 1611. logical diſpute, about which the ſtates had not aſked his advice, and which concerned a church over which he could not challenge the leaſt juriſdiction. How could he, who in his ſpeech to both houſes of parliament, called the queſtions about tranſubſtantiation, and the number of the ſacraments, mere ſchool-queſtions, how could he, I ſay, account the queſtions concerning grace in Holland, to be of ſo much greater moment? Moreover, he who thought the papiſts might be tolerated in England, provided they behaved like good ſubjects, could not bear that Vorſtius ſhould be tolerated in Holland, or even ſo much as ſuffered to live [a]. Theſe are contradictions which I can only venture to explain by three conjectures. Firſt, as he pretended to be very learned in divinity, he imagined, that having declared for one of the opinions, he was bound in honour to ſupport it. Secondly, looking upon himſelf ſtill as protector of the ſtates, he had a mind to exert his authority on this occaſion, and oblige them to do as he required. Thirdly, he was willing to favour prince Maurice, who had declared for the Gomariſts againſt the Arminians, who had penſionary Barnevelt at their head. I return to the affairs of England [b].

1612. Carr is made viſcount Rocheſter. Wilſon. Camden's Annals. Howes. Weldon. May 13.

The king's fondneſs for his new favorite continually and ſwiftly encreaſed. The favours the king loaded him with, ſeemed to exceed all bounds. Having made him knight, gentleman of the bed-chamber, lord-treaſurer of Scotland, he created him the 25th of March 1612, baron of Branſpeth, and viſcount Rocheſter. A month after, he made him privy-counſellor, and then knight of the garter. Every thing at court paſſed through his hands, and whoever deſired any favour of the king, was firſt to make the viſcount Rocheſter

[a] King James, in his declaration againſt Vorſtius, ſays, "If the ſubject of Vorſtius's hereſies had not been grounded upon queſtions of higher quality than touching the number and nature of the ſacraments, the points of merit, of juſtification, of purgatory, of the viſible head of the church, or any ſuch matters, as are in controverſy at this day betwixt the papiſts and us——in that caſe we ſhould never have troubled ourſelves with the buſineſs in ſuch faſhion, and with that fervency as hitherto we have done." p. 365. of his Works. As if wrong notions or errors concerning the eſſence of God, were more pernicious than ſuch corrupt notions and principles as are deſtructive of morality, and repugnant to God's moral character!

[b] In January this year, the king granted the learned Iſaac Caſaubon a prebend in the cathedral church of Canterbury, and a penſion of 300l. a year. Rymer's Fœd. tom. xvi. p. 709, 710.—This year, on Decemb. 12, died Thomas Sutton, eſq; founder of the Charter-houſe in London. This noble foundation he endowed with about 4500l. a year, for the maintenance of a maſter, a preacher, a free-ſchool, in which are forty ſcholars, and a maſter and uſher; and alſo for the maintenance of eighty poor people, who are to be provided with ſufficient cloathing, meat, drink, lodging, wages, &c. Stow's Survey, p. 297.

his

his friend. So many favours heaped on the favorite, convinced the miniſters and courtiers, it would be in vain to endeavour to ruin him; and even to attempt it, would be very dangerous. So every one reſolved to pay his adorations to the perſon the king was pleaſed to honour. The earl of Saliſbury however, was not pleaſed to be ſurpaſſed by this new-comer, and continually obliged to uſe all his art to find money, in order to ſee it ſhowered on a man whoſe ſervices were yet ſo inconſiderable. All hiſtorians agree, the king was liberal beyond meaſure in his preſents to his young favorite, as if he had been poſſeſſed of an inexhauſtible fountain of treaſure, though he was ever in want. One day, as the ſtory goes, the king having given him an order under his own hand, to receive twenty thouſand pounds at the Exchequer, the lord treaſurer Saliſbury, ſurprized at the immenſeneſs of the preſent, conſidering how little money there was then in the treaſury, ſucceſsfully uſed a ſtratagem to demonſtrate to the king the exceſs of his bounty. He ordered the money, all in ſilver, to be laid on four tables in a room of his houſe, and inviting the king to an entertainment, cauſed him to paſs through the room as by accident. The king failed not, as the lord treaſurer foreſaw, to aſk for what all that money was deſigned; to which Saliſbury careleſsly anſwered, it was for the viſcount Rocheſter, according to his majeſty's command. Whether the king underſtood his meaning, or had not conſidered the greatneſs of the preſent, he ſaid, it was too much for one man, and bid the treaſurer give him but five thouſand pounds[c].

James I 1622.

The treaſurer's artifice to limit the king's bounty. Coke. Oſborn. Hiſtoric. Narrat. c. 6.

It is agreed by all the hiſtorians, that Carr behaved at firſt very wiſely, as favorite. He was neither greedy nor inſolent; he did every one what ſervice he could, and eſpecially the Engliſh, whoſe friendſhip he preferred before that of his countrymen. He had but one Scotch ſervant, and one friend of that nation, a couſin german. This conduct rendered him agreeable to the Engliſh. The prince of Wales alone affected ſometimes to mortify him, becauſe they were both enamoured of the counteſs of Eſſex, who gave the preference to the favorite. This was ſufficient to gain him the prince's enmity, who nevertheleſs would not be revenged of him. He choſe rather to turn into contempt his love for the lady, who, as we ſhall ſee preſently, was not worthy of ſuch a lover. Except this amour, which proved his ruin, the favorite carried himſelf very prudently, being guided by the counſels of Sir Thomas Overbury, a man of parts and great wiſdom, who

Prudent behaviour of the favorite. Wilſon. Weldon. Hiſtoric. Narr. c. 14.

[c] Rapin, by miſtake, makes the whole to be but 5000l. and the king to reduce it to 2000l.

took

James I. 1612. took care to keep him clear of thoſe rocks, on which favorites ſeldom fail to run.

The king loads him with favours.

But though the viſcount Rocheſter carefully avoided being troubleſome, his modeſty ſerved only to inflame the king's deſire, to render him inſtantly rich and powerful. This, added to the many bounties he beſtowed on his courtiers both Engliſh and Scotch, and to the maintenance of three ſeveral courts, threw him perpetually into ſtraits. His miniſters were inceſſantly deviſing means to raiſe money without a parliament, of which he would not hear the leaſt mention. It may be eaſily conceived, theſe means were not all legal, but that many of them occaſioned murmurs among the people, as monopolies, benevolences, and loans. A king of England can very hardly increaſe his revenues by ſuch methods, without giving his ſubjects cauſe to believe, he intends to incroach upon their privileges, and James was now but too much ſuſpected of ſuch a deſign.

The miniſters are put to it to find money.

Death of the earl of Saliſbury. May 24. Camden's Annals.

The king to his great misfortune loſt in May the next year 1613 the earl of Saliſbury, who was perfectly acquainted with the affairs of the ſtate, and genius of the Engliſh. He was a check to the reſt of the miniſters, and hindered them from running upon precipices, the danger whereof they did not know ſo well as he. Moreover, he had a wonderful art of diverting the king himſelf from hurtful reſolutions, though he did not always ſucceed [d]. The earl of Suffolk was made lord treaſurer: but he was very different from the perſon he ſucceeded, both for parts and uprightneſs. Beſides, he had a wife who was very greedy of money, and made no ſcruple to take bribes with both hands.

Suffolk is made lord treaſurer.

Queen Mary's body is removed to Weſtminſter. Act. Pub. xvi. p. 721. Wilſon. p. 682. Howes. Spotiſwood.

During the great tranquillity enjoyed by the king, he cauſed the body of the queen his mother to be removed to Henry VII's chapel at Weſtminſter from Peterborough, where it was interred at firſt, and had lain ever ſince.

[d] Weldon gives him this character: he had great parts, was very wiſe, full of honour and bounty, a great lover and rewarder of virtue, and able parts in others, ſo as they did not aſpire too high in places, or look narrowly into his actions. p. 14. Oſborn, who owns he was a man of an incomparable prudence, applies to him, what was in other words ſaid of Gregory the Great, that "he was the firſt ill-treaſurer, "and the laſt good one ſince queen Eli-"zabeth's days." The worſt thing he lays to his charge, was, "the ſale of the crown timber," millions of Engliſh oaks being felled, and ſold at vile prices, not only during the life of the earl of Saliſbury, but all the reign of king James, to the great detriment of the navy, the walls of the kingdom, p. 461. He alſo fleeced the cream of the king's manors in many counties. Weldon, p. 51. He died at Marlborough, on Sunday, May 24. 1612, and was buried at Hatfield. Dugdale's Baron. vol. ii. p. 408.

About

About the middle of the year Robert Chreighton lord Sanquir, a Scotch nobleman, was condemned to be hanged, for hiring two of his countrymen to murder a fencing-maſter [e]. The archbiſhop of Canterbury and ſeveral great men interceded for him in vain. Nothing could prevail with the king to pardon him, who thought this example neceſſary to curb the inſolence of the Scots, who had already committed ſeveral outrages in England. His clemency to ſome had produced ſuch ill effects, that he did not think proper to continue the ſame courſe, for fear in the end of a general quarrel between the two nations, which muſt have been to the diſadvantage of the Scots [f]. James I. 1612.

Shortly after, arrived in England a very extraordinary embaſſy. Sir Robert Sherley an Engliſhman, who had ſerved the king of Perſia many years in his army, deſiring to ſee his native country, obtained of that monarch the character of his ambaſſador, and a letter of credit to the king. His inſtructions were only to pay his compliments to the king, with the offer of a free trade to the Engliſh throughout the Perſian dominions. The ambaſſador had paſſed through the Hague, where he demanded audience of the ſtates, to propoſe to Sir Robert Sherley arrives as ambaſſador from the king of Perſia. Camden's Annals. Howes.

[e] This young lord, it ſeems, having a mind to diſgrace one Turner a fencing-maſter, in his own art, had one of his eyes thruſt out by him. Some time after, the king of France aſked him, "how he loſt his eye?" And Sanquir telling him, "it was done with "a ſword," The king replies, "does "the man live?" This queſtion made ſuch an impreſſion upon the young lord, that at his return to England, he cauſed Turner to be piſtoled, at his houſe in White-Friers. Wilſon, p. 688. He was tried in the court of king's-bench, June 27, and executed before Weſtminſter-hall-gate, the 29th. Howes, p. 1002. Oſborn ſays, it was thought the king would not be prevailed with to pardon Sanquir, as he had done ſome other of his countrymen for the like offence, by reaſon of his love to the king of France, and not making any reply, when he ſaid in his preſence, to one that called our king James, Solomon, that "he hoped he was not David the fidler's ſon," p. 457.

[f] Ramſey ſwitched Philip Herbert, the earl of Pembroke's brother, over the face at a horſe-race, which he not reſenting, the king made him a knight, a baron, a viſcount, and an earl in one day. Mr. Edward Hawley of Grey's-Inn, coming to court one day, Maxwell led him out of the room by a black ſtring he wore in his ear, a faſhion then much in uſe. But this had like to have coſt warm blood; not only Grey's-Inn ſociety, but all the gentry in London, thought themſelves concerned in the affront, and Hawley threatened to kill Maxwell wherever he met him, if he refuſed to fight; which ſo frightened the king, that he ſent for the benchers, and made up the quarrel. One Murray a Scot, killed a ſerjeant that came to arreſt him; which things, with Sanquir's piſtoling Turner, and other inſolencies, occaſioned the following verſes on the Scots:

They beg our lands, our goods, our lives,
They ſwitch our nobles, and lie with their wives;
They pinch our gentry, and ſend for our benchers;
They ſtab our ſerjeants, and piſtol our fencers. Oſborn, p. 752.

them

James I. 1612.

them a treaty with the king of Perſia. But becauſe he came from Spain, where he had made ſome ſtay, the ſtates ſuſpecting he had ſome other deſign, aſked to ſee his inſtructions, and upon his ſcrupling to ſhew them, he was deſired to withdraw. As he had been alſo at other courts, it was believed, he had put the king of Perſia in hopes of engaging all the chriſtian princes in a war with the Turks, who were preparing to invade him. He had married a Perſian wife, who was delivered of a ſon in England, to whom the queen ſtood Godmother, and prince Henry Godfather. After a year's ſtay in England, he returned into Perſia [g].

The elector Palatine's arrival. October 16. Wilſon. p. 689. Howes.

The arrival of this ambaſſador did not make ſo much noiſe as that of Frederic V. elector Palatine, who came in October to marry the princeſs Elizabeth, the king's daughter. He was received with all the reſpect imaginable, and for ſome time nothing was ſeen at court but entertainments and diverſions on his account. But amidſt the univerſal joy for the marriage, the prince of Wales was ſeized with a diſtemper, which at firſt was not thought dangerous. It begun on the 10th of October, a few days before the elector Palatine's arrival: but he himſelf believed it of ſo little conſequence, that he accompanied the elector every where for ſome days. He was not forced to keep his bed till the 25th of the ſame month, and died the 6th of November, at the age of eighteen years [h].

Death of the prince of Wales. Wilſon. Howes. Coke.

His encomium. Wilſon. p. 689. Coke. Oſborn.

He was one of the moſt accompliſhed princes that ever was, I will not ſay in England, but in all Europe, if we may believe what hiſtorians relate of him. He was ſober, chaſte, temperate, religious, full of honour and probity. He was never heard to ſwear, though the example of his father and the whole court, was but too apt to corrupt him in that reſpect [i]. He took great delight in the converſation of men of honour,

[g] He was ſecond ſon to Sir Thomas Sherley of Suſſex, and had been abroad ſixteen years, five whereof he had ſpent in the ſervice of divers chriſtian princes, eſpecially the emperor Rodolphus, who made him a count of the empire. He afterwards travelled into Perſia, and ſerved that emperor ten years, who made him general of the artillery, and gave him in marriage, the lady Tereſia, ſiſter to one of the queens of Perſia. He left his young ſon in England. Howes, p. 1002.

[h] He died, (not on the 12th, as Rapin ſays, but) on the 6th of November, being eighteen years, eight months, and ſeventeen days old; and was buried at Weſtminſter the 7th of December following. Coke. Wilſon, p. 690. Howes, p. 1004. His funeral charges came to ſixteen thouſand and ſixteen pounds. State of the Revenue, p. 13.

[i] Being once hunting the ſtag, a butcher's dog chanced to kill the ſtag, and ſpoil the ſport, which the prince not reſenting, the huntſmen and company, to incenſe him againſt the butcher, told him, "if his father had been ſerved "ſo, he would have ſworn ſo as no "man could have endured it." Away, (ſays

honour, and those who were not reckoned as such, were looked upon with a very ill eye at his court. He had naturally a greatness of mind, noble and generous thoughts, and was as much displeased with trifles, as his father was fond of them. He frequently said, if he ever mounted the throne, his first care should be to try to reconcile the puritans to the church of England. As this could not be done without concessions on each side, and as such a condescension was directly contrary to the temper of the court and clergy, he was suspected to countenance puritanism. He was naturally gentle and affable: but however, in his carriage had a noble stateliness without affectation, which commanded esteem and respect. He showed a warlike genius in his passionate fondness for all martial exercises. A French ambassador coming to take his leave of him, found him tossing the pike, and asking him, "what service he would command him to his master?" The prince bid him tell him, "what he was doing." In short, to say all in a word, though he was eighteen years old when he died, no historian has taxed him with any vice. The king his father is said to have been jealous of him, and to ask one day, "If his son would bury him alive[k]?" I pass over in silence many things said upon this occasion, particularly what some authors would insinuate, that the king caused him to be poisoned. In such a case, the proofs ought to be as clear as the sun, and I find in the most inveterate historians against king James, only bare suspicions and naked conjectures, which probably were but fruits of the blackest malice. Others are contented with accusing the viscount Rochester of this crime, but without any manner of proof. Some slight presumptions which I shall have occasion to speak of elsewhere, may have helped to breed this suspicion, which indeed was spread immediately after the prince's death. Wherefore his head and body were ordered to be laid open in the presence of many physicians and surgeons, who gave their opinion upon oath, that no marks of poison appeared[l]. But what reflected

James I. 1612.

Osborn.

Coke, p. 71.

Burnet. Coke.

Suspicions against the king. Wilson. p. 689, 690 Coke, p. 71.

Burnet.

Historic. Narrat. c. 15. Coke. Wilson.

(says the prince) all the pleasure in the world is not worth an oath. This R. Coke the historian had from his father, who was about the prince's age. Coke, vol. i. p. 70.

k The king said this upon the prince's court being more frequented than the king's. Coke, p. 71.

l They gave their opinions on November 7, under their hands as follows: his liver wan and paler than ordinary. His gall without choler, and distended with wind. His spleen unnaturally black; his lungs spotted, with much corruption. The diaphragma blackish; and the head full of blood in some places, and in others of water. As if (says Wilson) no poison could produce such effects, p. 690. See Historic. Narrat. c. 15. Howes says, he died of a malignant fever, which reigned that year in most parts of the land, and carried away a great number of people of all sorts and ages, p. 1064.

most

James I. 1612. moſt upon the king, was his commanding that no perſon ſhould appear at court in mourning, whether he was willing to remove all melancholy objects from his ſight, that might conſtantly renew his concern, or did not think proper to interrupt the diverſions prepared for his daughter's marriage. Decency obliged him however to defer the nuptials a few weeks, as the prince's funeral could not be performed till the 7th of December.

The elector and prince Maurice, are made knights of the garter: Camden's Annals.

Preſently after, the king held a chapter of the order of the garter at Windſor, wherein the elector Palatine and prince Maurice Stadtholder of Holland were made knights. They were inſtalled in February following, both on the ſame day, the one at Windſor, the other at the Hague [m].

1613. Marriage of the elector and the princeſs. Howes. Wilſon. p. 690. Act. Pub. xvi. p. 724, 736.

The beginning of the year 1613 was wholly ſpent in preparations for the princeſs's wedding, which was ſolemnized the 14th of February, the elector having been inſtalled knight of the garter on the 7th. Nothing was ſpared to render the entertainments on theſe occaſions as magnificent as poſſible. To that end the king demanded aid-money of his ſubjects, according to the antient cuſtom obſerved when the kings married their eldeſt daughter. Though it was now a hundred years ſince this cuſtom had been uſed, there having been no occaſion ſince the reign of Henry VII. yet few or none durſt refuſe to give what the king demanded. Great ſums were raiſed by this means, which were all expended in the marriage [n]. The elector and the princeſs ſtayed in England till April, during which time there was nothing but entertainments, balls, maſquerades, and other diverſions. The city of London made the new married couple a ſplendid feaſt; after which, the lord mayor and aldermen preſented the bride with a chain of oriental pearl, worthy the greatneſs and riches of that metropolis [o].

See Howes, p. 1005, &c. Wilſon.

By the departure of the elector and electoreſs [p], the court became

[m] They were both inſtalled on the 7th of February, (or, according to Camden's Ann. on December 20, 1612.) Lodowick count of Orange being prince Maurice's proxy. Prince Maurice, it ſeems, wore his garter conſtantly, till a groom of his chamber happened to ſtrangle a jeweller with one of his blue ribbons, in order to rob him. After which he would never wear it. Wilſon, p. 690.—This year was finiſhed Hicks's Hall in London. It was ſo named from Sir Baptiſt Hicks, a juſtice of peace for Middleſex, at whoſe charges it was built, on a piece of ground granted him by the king. Howes, p. 1003.—This year alſo, king James and the electors of Germany entered into a league and alliance. See Rymer's Fœd. tom. xvi. p. 711—720.

[n] The aid of money came but to 20500 l. (State of the Revenue, p. 11.) and the elector's marriage, &c. coſt the king almoſt four times that ſum, as will be ſeen hereafter.

[o] It coſt above 2000 l. Howes, p. 1007.

[p] They embarked at Margate, April 25, and

became a little more quiet as to public rejoicings, which had held ſeveral months without ceaſing. But at the ſame time, a private ſcene was acting, the plots whereof began to open this year, but were not quite unravelled till two years after. I mean, the annulling of the earl of Eſſex's marriage: his counteſs's ſecond marriage with the viſcount Rocheſter: and the violent death of Sir Thomas Overbury. As theſe three incidents did not happen all at once and by accident, but were gradually brought in by diabolical practices, it will be neceſſary to relate ſome things already paſſed, and which were deferred that the thread of the ſtory might not be interrupted. James I. 1613.

Account of the diſſolving of the earl of Eſſex's marriage. Wilſon, p. 686. Hiſtoric. Narrat. c. 5.

Robert Cecil, earl of Saliſbury, was, as I obſerved, a mortal enemy to the late earl of Eſſex, and one of the chief inſtruments of his ruin. This earl left a ſon, who being but nine years old, did not give Cecil much uneaſineſs, though the king at his coming to England, reſtored him to his eſtate and honours. Mean while, as this able miniſter could not be ignorant of the king's affection for the father, he was apprehenſive, that one time or other he ſhould be made to pay for all his artifices to ruin that lord. It was chiefly upon this account, that in order to preſerve the king's favour, he judged it proper to unite cloſely with the Howard family by his ſon's marriage with the earl of Suffolk's eldeſt daughter [q]. After which, perceiving the earl of Eſſex to grow up, and fearing he might one day prove a thorn in his ſide, he believed it for his intereſt to be reconciled to him, and to confirm the reconciliation with the marriage of this young lord to the earl of Suffolk's ſecond daughter, younger ſiſter of his daughter-in-law. Beſides his own advantage by the alliance, he gave the king the pleaſure to ſee in ſtrict union three families, for whom he had the greateſt affection, namely, thoſe of Howard, Devreux, and Cecil. This marriage was accompliſhed in 1606, the earl of Eſſex being then in his fifteenth, and Frances Howard his bride in her thirteenth year. As the married couple were yet very young, their relations thought fit the earl ſhould travel into France and Germany, till they were both a little more advanced in years. During his abſence, his counteſs became a perfect beauty, and eclipſed all the Court-Ladies. Wilſon, p. 686, &c.

25, and landed at Fluſhing the 29th. The elector behaved, during his ſtay in England, ſo nobly and diſcreetly in all reſpects, that he gained the general applauſe and love of all men. And gave away to the full value of 120,000 French crowns. Howes, p. 1007.

q William Cecil viſcount Cranburne, married Catherine Howard, the earl of Suffolk's third and youngeſt daughter, on December 1. 1608. Camden's Ann.

The

James I. 1613.

The earl of Eſſex returned into England in the year 1610. He found his counteſs in the prime of her age and beauty: but withal, extremely proud of her own merit, by reaſon of the praiſes beſtowed on her by all. He was himſelf charmed with her, but met not with that return he expected. She daily coined freſh excuſes to delay the conſummation of the marriage, and ſhowed as much reluctance as he did eagerneſs. He bore it patiently for ſome time, being unwilling to uſe compulſion, for fear of giving his bride an averſion to him. Shortly after, he fell ſo dangerouſly ill of the ſmall-pox *, that his life was deſpaired of: but the ſtrength of his conſtitution overcame his diſtemper, though it was long before he was quite recovered.

Wilſon.

In this interval it was that Robert Carr became the king's favorite. When he gained his maſter's heart, he made a conqueſt almoſt at the ſame time of the counteſs of Eſſex's, who ſuffered herſelf to be taken with the charms of this young Scot, and entirely gave herſelf over to this new paſſion, without daring however to reveal it to the perſon that cauſed it. Mean while, the earl of Eſſex finding himſelf perfectly recovered, preſſed his ſpouſe to conſent to the conſummation of their marriage: but he found her reluctance the greater, as ſhe was enamoured of another. In ſhort, after trying all ſorts of ways to prevail with her, without being able to ſucceed, he had recourſe to the earl of Suffolk his father-in-law, and entreated him to uſe his endeavours to vanquiſh his daughter's obſtinacy. The earl of Suffolk, ſurprized at what his ſon-in-law told him, ſharply reprimanded his daughter, and poſitively told her, ſhe muſt reſolve to conſummate the marriage. Then the counteſs, not daring to diſobey her father directly, deſired only a little longer delay. She believed, in caſe ſhe could avoid conſummating her marriage with the earl of Eſſex, it would not be impracticable to procure a divorce, and then marry the viſcount Rocheſter. Indeed, the viſcount knew nothing yet of her paſſion: but ſhe had too good an opinion of her charms not to hope an eaſy conqueſt, as ſoon as ſhe ſhould have occaſion to diſcover it. On the other hand, the great credit of Rocheſter and the earls of Suffolk and Northampton did not ſuffer her to queſtion, that if the favorite undertook to marry her, he would eaſily accompliſh it. But ſhe wanted ſome time to lay her meaſures, wherein however ſhe met with great oppoſition both from her huſband and father.

* Wilſon ſays, it was a moſt violent to, but far tranſcending, the ſmall diſeaſe, of a poiſonous nature, imputed pox. p. 636.

In

In this extremity, not knowing how to proceed, ſhe opened her mind to one Mrs. Turner a phyſician's widow, a woman of a diſſolute life, and capable of the baſeſt actions. As this woman had no good advice to give her, ſhe perſuades her to apply to one Dr. Foreman, who paſſed for a conjurer. He had perhaps ſome ſecrets of nature, but was not ſorry to be thought ſkilled in the magic-art, becauſe many women came to conſult him and paid him well for it *. To this man the counteſs of Eſſex told her ſecret, and deſired two things of him; firſt, to manage it ſo that the earl of Eſſex ſhould be incapable to conſummate his marriage. Secondly, to make the viſcount Rocheſter fall in love with her. Foreman very confidently promiſed both, and gave her certain powders for her huſband to take, and to be put amongſt his linnen, with inſtructions how ſhe ſhould behave to him. As for Rocheſter, he himſelf undertook to perform upon him the neceſſary operations. James I. 1613. Wilſon. Hiſtoric. Narrat. c. 7, 9. Coke.

Mean while, the counteſs could no longer diſobey her father's command, ſo was forced at laſt to cohabit with her huſband. But though they lay together, the marriage was not conſummated, whether it was owing to Foreman's powders, or to ſome other more effectual means uſed by the counteſs to fruſtrate her huſband's efforts. However, the earl of Eſſex imagined, that his living in London and at court might contribute to his misfortune, and therefore reſolved to carry his lady to Chartley in Staffordſhire a country ſeat, about a hundred miles from London. The counteſs could not be excuſed from going with her lord: but all the while ſhe was there, ſhut herſelf up in a room, and would not ſo much as ſuffer the light of the ſun to enter, giving herſelf over to an exceſſive melancholy, whether out of vexation or policy, the better to deny her huſband. After this manner ſhe lived ſome time with her huſband in the country, who did not underſtand the meaning of this ſtrange behaviour. In the mean while, ſhe wrote ſeveral letters to Mrs. Turner and Foreman, telling them, "She was afraid Foreman's powders were not ſtrong "enough: her huſband was as laſty as ever: it would be "very difficult for her to hold out for ever, and if ſhe ſhould "chance to yield, ſhe ſhould become the moſt unfortunate wo "man in the world: ſhe intreated them to free her from her "miſery, and they ſhould have what money they deſired." Wilſon. p. 637. Truth brought to light, &c. p. 13, 16.

* To ſhew the counteſs what effects his art would produce, Mrs. Turner, being in love with Sir Arthur Manwaring, gave him ſome of the powder, which wrought ſo violently with him, that, through a ſtorm of rain and thunder, he rode fifteen miles one dark night to her houſe. Wilſon, p. 637.

James I. 1613. These letters were found in Foreman's ſtudy, and read in open court, upon an occaſion which I ſhall mention preſently [t].

At laſt, the earl of Eſſex ſeeing himſelf in ſo uneaſy a ſituation, reſolved to carry his lady back to London, and give her full leave to live as ſhe pleaſed. He began to perceive there was ſomething extraordinary in her carriage, which he choſe rather to be ignorant of than endeavour to diſcover.

Wilſon. Hiſtoric. Narrat. c. 13.

The counteſs being returned to court, and miſtreſs of herſelf, no longer delayed to let Rocheſter know what ſhe endured for his ſake. There was no occaſion to uſe magic to produce the deſired effect. He was young, and ſhe the fineſt lady in the kingdom. So any advances from the counteſs, were more than ſufficient to kindle a flame in the favorite's breaſt. As ſoon as they begun to underſtand one another, aſſignations became frequent. They were at firſt very private: but in time, the two lovers uſed ſo little caution, that not a courtier was a ſtranger to their amours. The king very probably was informed of it, ſince nothing delighted him more than to hear of the love-intrigues of his courtiers. The earl of Eſſex, who had alſo notice of it, choſe to ſhut his eyes, and ſcorn an object ſo unworthy of his love.

The counteſs of Eſſex's deſigns to get her marriage annulled. Wilſon.

The counteſs of Eſſex having ſucceeded in her intended conqueſt, and finding herſelf ſure of her lover's heart, would not allow his paſſion time to cool. Every thing ſeemed to favour the execution of her deſigns, that is, her divorce from the earl of Eſſex, and marriage with the viſcount Rocheſter. Eſſex ſaw her no more, and ſeemed to concern himſelf very little about her, and Rocheſter was ſo beloved by the king, that in all appearance, nothing would be impracticable. So ſhe let her lover know her deſires, and without much difficulty brought him to ſecond her projects. But as he was wont to impart his moſt ſerious affairs to Overbury, he believed he ought not to conceal this from him, and the more, as he expected from him ſome good advice to accompliſh it. But ſo far was Overbury from approving ſuch a project, that he uſed his utmoſt endeavours to diſſuade him from it. He repreſented to him the injuſtice and indignity of the thing, his danger of being ruined by ſuch an action; and laſtly, the little value he ought to have for a woman, who, though married, ſcrupled not to throw herſelf into the arms of another man: That ſhe had already loſt her reputation in the world,

Overbury is acquainted with it, and oppoſes it. Wilſon. Coke. Hiſtoric. Narrat. c. 18. Weldon.

[t] There was alſo a note produced in court made by Foreman, and written on parchment, ſignifying what ladies loved what lords in the court; but the lord chief juſtice would not ſuffer it to be read. Truth brought to light, p. 138.

and when ſhe ſhould be his wife, all the diſhonour would reflect upon him [u]. Rocheſter, who did not expect ſo great oppoſition from his friend, could not forbear ſhowing ſome reſentment. He had the addreſs however to contain himſelf ſo far, as not to give him room to think he would proceed notwithſtanding his advice, and continued, as uſual, to communicate to him his other affairs. The counteſs was in a violent paſſion when ſhe heard Overbury's advice, and from that moment ceaſed not to excite her lover to revenge. She was the more incenſed againſt Overbury, as ſhe feared, that being acquainted with the deſign, he would labour to render it abortive. In ſhort, Rocheſter was ſo complaiſant and blind, as to promiſe her to ſacrifice his friend. He might eaſily have diſmiſſed him; but it would have been too dangerous not to ruin him entirely, after truſting him with the ſecret. It is pretended, that to ſtrike the more ſurely, he conſulted the earl of Northampton, uncle to the counteſs of Eſſex, and by his advice uſed this artifice to ruin him. He extolled to the king Overbury's abilities; but intimated withal, that he took too much upon him, and was grown intolerably inſolent; and therefore he ſhould be very glad to have him removed, by ſome honourable employment, praying his majeſty to ſend him ambaſſador to Ruſſia [w]. The king liking the propoſal, inſtantly appoints Overbury for the embaſſy. Rocheſter having proceeded thus far, acquaints Overbury with the king's intention, and pretending he could not live without him, entreats him to refuſe the employment, promiſing to procure him a better at court. He added, that indeed he believed it would not be in his power to hinder the king from being angry at firſt, who probably would reſent his refuſal, but he did not queſtion to appeaſe him in a few days. Overbury fell into the ſnare, and when the king ſent for him to acquaint him with the employment deſigned for him, he moſt humbly beſought his majeſty to make choice of ſome other perſon. As ſoon as he was retired, Rocheſter aggravated his pride and inſolence, in daring thus to refuſe his maſter's gracious offer, adding, it was requiſite to chaſtiſe him: That he was himſelf affected by it, for he ſhould be infallibly blamed for uſing his intereſt for him. In ſhort, by Rocheſter's inſtances, the king commanded Overbury to be

James I. 1613.

Coke. Hiſtoric. Narrat. c. 19.

Ibid. Wilſon, p. 691. Rocheſter's artifice to ruin Overbury. Coke. Wilſon. Weldon. Hiſtoric. Narrat. c. 22.

Ibid. c. 24.

Overbury is ſent to the Tower, and cloſely confined.

[u] It ſeems he ſpoke very freely of the counteſs, calling her whore, and baſe woman, and her mother and brother bawds. See Hiſtoric. Narrat. c. 21.

Weldon, p. 67.

[w] Some ſay, into France, others into Flanders. Rapin.

James I. 1613. sent to the Tower [x]. Some days before, the favorite had caused Sir Gervase Elweys, his creature, to be made lieutenant of the Tower [y]. Overbury was closely confined in a room, and not suffered to keep one of his servants, or receive any visits from his relations and friends, a rigour not used even towards the greatest offenders. He was now where the viscount Rochester and the countess of Essex wished him, in order to dispatch him the more easily. However, there were still some difficulties. It could not be done by stabbing, because the lieutenant of the Tower, who is to answer for the prisoners, would not have suffered it, and besides, a murder openly committed in one of the king's prisons, would have made too much noise in the world. It was resolved therefore to make use of poison. To that end Mrs. Turner provided a trusty person, one Weston [z], who had been a servant to her husband, and Sir Thomas Monson recommended this man to the lieutenant of the Tower, to wait on the prisoner as footman. But even this was not sufficient. Whatever was brought to Overbury to eat, being dressed in the lieutenant's kitchen, it was almost necessary to engage him in the plot. Some say, the earl of Northampton spoke to him of it, hinting that every thing was done with the king's privity. Others affirm, the lieutenant refusing to be concerned in the crime, and not daring however to discover it, by reason of the quality of the parties, took care to seize the victuals sent from time to time by the viscount Rochester to the prisoner, and threw them into the house of office [a]; and this is most likely, since otherwise, Overbury would have been soon dispatched. He could not however hinder Weston from giving him a certain jelly sent by Sir Thomas Monson which almost killed him. Whereupon the lieutenant of the Tower was still more careful, that Overbury should be seen but by Weston alone. This was a check upon Weston, because he perceived none could be accused but himself; wherefore he durst not make such haste as Overbury's enemies desired. There

Wilson. Historic. Narrat. c. 20.

The design of taking away his life is formed. May 9. Wilson. Historic. Narrat. c. 21, 24. Coke.

Wilson, p. 693. Weldon. p. 74.

Historic. Narrat. c. 48.

[x] Under pretence, that he had vented some stinging sarcasms against the court. Coke. p. 75.

[y] Weldon gives him this character, That he was ever held honest, and so wise, that he obtained the surname of wise Sir Gervase Elways; he was also so religious, that few in the court did equal him: He was therefore very unfortunate, in having that place thrust upon him, without his thought; for (according to him) he was at first ignorant of the plot, and endeavoured to prevent it. But others say, he bought the place, and that Wade was turned out to make room for him. Historic. Narrat. c. 20.

[z] He was promised 200l. for this piece of service. Coke, p. 75.

[a] Wilson says, several sorts of poisons were tempered with his broths, and every bit of meat he eat; that he might waste by degrees; and his very salt was mixt with white mercury, p. 693. See Historic. Narrat. c. 43.

arose

aroſe however, an inconvenience from this delay, which was, that every one was ſurprized, to ſee the king uſe ſo great rigor upon a friend of the viſcount Rocheſter for ſo ſlight an offence, if the refuſing to go in embaſſy to Ruſſia could be deemed any crime at all. It could not be conceived, and it was vainly endeavoured to diſcover the cauſe of the extreme ſeverity with which Overbury was treated. James I. 1613.

Whilſt the unfortunate priſoner languiſhed in his confinement, the viſcount Rocheſter and the counteſs of Eſſex were thinking of executing their project, that is, of annulling the counteſs of Eſſex's marriage, that ſhe might afterwards eſpouſe the viſcount. To effect this, without Rocheſter's appearing to be concerned, the earl of Northampton, who was in the two lovers ſecrets, undertook to ſpeak to the king. Some ſay the viſcount Rocheſter had already acquainted the king with the counteſs's deſign to be divorced, and prayed his majeſty to procure him the lady when the marriage ſhould be diſſolved; but I do not know if this be well atteſted. However, the earl of Northampton preſented to the king the counteſs of Eſſex's petition [b], that the earl her huſband being incapable of conſummating their marriage, ſhe beſought his majeſty to let her complaint be examined, and if found well grounded, to have liberty to marry another. Upon this petition, the king commiſſioned the archbiſhop, ſeveral other biſhops, and ſome laymen, to hear and determine the affair. This court proceeded very gravely to the trial of the cauſe, and entered into ſuch particular and ſecret examinations, as did not very well become clergymen. The earl of Eſſex being examined, briefly anſwered, he had never conſummated his marriage, neither did he think he ſhould ever be able to conſummate it; but did not feel the ſame inability with regard to other women. Though this confeſſion greatly favoured the counteſs's cauſe, the court deemed it proper to be certain of the truth by another method, and ordered the counteſs to be inſpected by a jury of matrons, aſſiſted by ſome midwives. The inſpection being made, the matrons declared ſhe was a virgin. But it is pretended the counteſs, under colour of ſaving her modeſty, was permitted to appear in a veil before the matrons, and that Mrs. Fines, a young gentlewoman of her age and ſtature, was introduced in her place [c]. I omit

The earl of Eſſex's marriage is annulled. Wilſon. Franklyn's Annals. Hiſtoric. Narrat. c. 17. Truth brought to light. Coke.

Wilſon. Annals of James I.

Wilſon. Hiſtoric. Narrat. c. 31.

Weldon. p. 80, &c.

[b] Dr. Franklyn, author of the Annals of James I. ſays, the earl of Suffolk preſented the petition. Here he begins his account, without any mention of what went before. Rapin.

[c] Sir Anthony Weldon declares upon the reputation of a gentleman, that he had this verbatim from a knight, who

29515

James I. 1613.

Annals of James 1. p. 3. Weldon.

I omit numberleſs circumſtances of this trial, which are to be found in ſeveral authors, and which it is indecent to relate. It ſuffices to ſay in a word, that by the ſentence, the marriage was diſſolved, contrary to the opinion of the archbiſhop of Canterbury, who even publiſhed his reaſons againſt it. But the king himſelf took the pains to anſwer the archbiſhop's arguments, and to maintain the juſtice of the ſentence, upbraiding the prelate with founding his opinion on puritan principles. Dr. Bilſon biſhop of Wincheſter, one of the judges, having ſpoken very ſtrenuouſly to prove the nullity of the marriage, his ſon was ſoon after knighted. But the public was ſo malicious as to call him Sir Nullity Bilſon. This affair made great noiſe, and brought little honour to the judges, moſt of whom could not be ignorant of the counteſs of Eſſex's ill character [d].

Rocheſter marries the counteſs of Eſſex. Wilſon.

If after her divorce, the counteſs had married any other than the viſcount Rocheſter, her conduct might have been eaſily juſtified. This was not the firſt marriage annulled upon the like account. But the ſentence was hardly publiſhed, when the viſcount openly made his addreſſes to the lady, and their marriage was quickly concluded. The king not only gave his favourite leave to marry the counteſs, but alſo made him earl of Somerſet on the 4th of November, that the ſecond huſband might be of equal rank with the firſt. The nuptials were ſolemnized a month after, with ſuch extraordinary rejoicings, that had the king's own ſon been married, there could not have been greater. The city of London ſignalized itſelf on the occaſion, by a ſplendid entertainment which the lord-mayor and aldermen gave the new-married couple, and to which the king, queen, and the whole court

He is made earl of Somerſet, Nov. 4. Dec. 26. Wilſon. Howes. Coke. Jan. 4.

who did uſher the lady into the place of inſpection, and told it often to his friends in mirth. Th Court of King James, p. 81.——The author of the Hiſtoric. Narrat. of the firſt fourteen years of King James, ſays, it was one of Sir Thomas Monſon's daughters that was ſearched in the counteſs's room. c. 17.

[d] Of the judges delegates, Thomas Bilſon, biſhop of Wincheſter, Lancelot Andrews biſhop of Ely, Richard Neile biſhop of Coventy and Lichfield, and John Buckeridge biſhop of Rocheſter; with Julius Cæſar, Thomas Parry, Daniel Dun, knights, ſigned the decree. Abbot archbiſhop of Canterbury, and John king biſhop of London, were againſt it. The earl of Southampton, in a letter of Auguſt 6, 1613, to Sir Ralph Winwood, hath theſe words: "Of the nullity, I ſee you have heard "as much as I can write, by which "you may diſcern the power of a king "with judges; for of thoſe which are "now for it, I knew ſome of them "when I was in England were vehemently againſt it, as the biſhops of "Ely and Coventry." Collection of Papers in the reign of James I. vol. iii. p. 475.—The earl of Eſſex was forced to repay his counteſs's portion, (which was 5000l. Hiſtoric. Narrat. c. 27.) to do which he was obliged to ſell his ſeat of [illegible]nington in Hertfordſhire. Wilſon, p. 695.

were

were invited. For ſome time nothing was talked of but banquets, balls, maſquerades, and other diverſions, in honour of the new earl of Somerſet's nuptials. James I. 1613.

Theſe things gave occaſion to the diſaffected to talk freely of the king. They reported, that in Scotland the earl of Arran, formerly the king's favorite, married the earl of Athol's daughter, having procured, by the like means, and on the ſame account, a diſſolution of that lady's marriage with the earl of March. It was thereby inſinuated, that the king had taught his favourite the way to attain his miſtreſs. But theſe inſinuations reached not the king's ear, thoſe about him not being ſo ill courtiers as to carry him ſuch reports. Johnſton's Hiſtory of Scotland.

Whilſt the counteſs of Eſſex's marriage was annulling, the unfortunate Overbury was cloſely confined, without having the comfort of ſeeing any of his friends [e], as if he had been guilty of the moſt heinous of crimes. He had been extremely ſick with the poiſon that was given him, without knowing the cauſe of his illneſs. But when he heard what was tranſacting, he no longer doubted concerning the author of his miſery. In this lamentable ſtate, he ſaw no other remedy but to write to the favorite, intreating him to deliver him out of his wretched condition [f]. Rocheſter anſwered, that the king being ſtill highly incenſed, he had not yet been able to ſpeak in his behalf, but hoped to do it within a few days. Nay, it is ſaid, he ſent a certain powder in the letter, as a ſure remedy to cure his diſtemper. But Overbury was ſo wiſe as not to take it [g]. In ſhort, the two lovers being impatient to ſee a man live ſo long, who might one day be their ruin, cauſed an impoiſoned clyſter to be adminiſtred by one Franklin an apothecary's 'prentice, which ended his miſeries with his life. Some ſay, that Weſton and Franklin ſeeing the extraordinary effects of the clyſter, and fearing if they ſuffered the poiſon to operate any longer, it would leave marks on the body, which would riſe in judgment againſt them, ſmothered him with the bed-cloaths. When he was dead, he was Violent death of Overbury. Wilſon, p. 692. Weldon, p. 74. Franklyn's Annals, p. 4. Hiſtoric. Narrat. c. 28. Winwood's Mem. t. iii. p. 478. Sept. 14. Coke. Weldon, p. 76. Hiſtoric. Narrat. c. 28.

[e] One friend accidentally found means to give him a viſit, for which the lieutenant was ſeverely rebuked, and ordered not to let any body come near him. Wilſon, p. 693.

[f] In one of his letters he tells the earl of Somerſet, "You and I will come "to public trial before all the friends "I have. They ſhall know what "words have paſſed betwixt us here-"tofore.——I have all this vacation "wrote the ſtory betwixt you and me, "from the firſt hour to this day, &c." Theſe threats, probably, haſtened Overbury's death; and hurried the earl on to diſpatch him quickly out of the way, for fear he ſhould tell tales. See Winwood's Mem. tom. iii. p. 478.

[g] Wilſon ſays, he took the powder, which having a poiſonous quality, added to his affliction, p. 692.

James I. 1613. speedily buried without any ceremony, and a report ſpread, that dying of the pox, he was ſo rotten, he could not be kept any longer. This was the earl of Northampton's account in his letter to the favorite, to acquaint him with Overbury's death, admiring withal, the juſtice of God upon ſuch wicked inſtruments [h].

Wilſon, Winwood's Mem. t. iii. p. 481.

The favourite gives himſelf over to the earl of Northampton; Hiſtoric. Narrat. c. 30. who countenances the papiſts. Wilſon, p. 694.

The favourite, he acted without any reſerve. As he was warden of the Cinque-ports, the jeſuits and Romiſh prieſts could ſafely land there without being examined at their arrival. By this means their number ſo increaſed in a very ſhort ſpace, that the people loudly murmured at it, and caſt the blame on the earl of Northampton. Wherefore, to ſilence thoſe who talked too freely, he took out a writ of Scandalum Magnatum againſt ſome of them. He believed, it was not poſſible to convict him of a thing founded only upon common report, and that, ſuch evidence not being valid in law, he ſhould ſilence his enemies by the puniſhment of ſome of the moſt forward to ſpeak againſt him. But the archbiſhop of Canterbury broke his meaſures, by producing a letter under the earl's own hand to cardinal Bellarmine, wherein he ſaid, "That however the ſituation of the affairs of England, and "the inſtances of the king compelled him to be a proteſtant "in ſhow, nevertheleſs his heart ſtood firm with the catho- "lics, and he would be ever ready to countenance them to "the utmoſt of his power." Upon this letter the parties accuſed were diſcharged. Nay the king ſo reprimanded the earl,

Ibid. Hiſtoric. Narrat. of the firſt 14 years of James I. c. 31. Coke.

Wilſon, p. 694. Coke, p. 80.

h King James's friends have given Overbury a very bad character, probably, to leſſen the horror of the viſcount Rocheſter's crime. Rapin.—This year, the city of London ſent colonies into the province of Ulſter in Ireland, which were p'anted chiefly about Londonderry and Colerain. Howes, p. 1004.—October 25, Sir Edward Coke was made lord chief juſtice; and the 26th, Sir Francis Bacon was made attorney-general, and Henry Yelverton, eſq; ſollicitor-general. Howes, p. 1005.

that

that he retired to his country-houſe, where he died ſoon after. He declared in his laſt will and teſtament, that he had always been a catholic, and would die in that religion. Thus ſeveral hiſtorians ſpeak of him. But the anonymous author of the annals of James I. and Charles I. who endeavours to vindicate theſe princes, their miniſters and government, in every thing without exception, forgets not to juſtify alſo the earl of Northampton. He ſays, among other things, that the charge of being concerned in Overbury's murder was only a rumour ſpread after his death, as if that were a certain proof of his innocence. As to the earl's religion, the ſame author ſays, "He died ſuſpected more catholic than ſome will think "reaſonable, though in the form of a church-papiſt [k]." James I. 1614. Death of Northampton, June 15. Wilſon. Howes. Franklyn. Annals of James I. p. 4.

The court was not ſo well affected to the puritans as to the papiſts. The puritans were conſidered as enemies to the king and to monarchy, but the papiſts as hearty wiſhers that the king might meet with no oppoſition to his will. This was ſufficient to induce the court to countenance the latter, and cauſe the former to endure continual mortifications. In the ſpring this year, ſome preſbyterian families reſolved to go and ſettle in New-England, to enjoy there that peace which they could not find at home. The author I juſt mentioned concerning the earl of Northampton, ſays, theſe people were notorious ſchiſmaticks of ſeveral ſects, known by the general name of Puritans, which term included good and bad in their diſtinct kinds, truly and ingeniouſly diſtinguiſhed into the Puritan-knave, and the Knave-puritan. As it was not impoſſible, by the increaſe of preſbyterian families, the Engliſh plantations might become nurſeries for non-conformiſts, the court gave orders not to let them depart. But afterwards, ſuch as deſired to remove beyond ſea, being examined, ſome were The puritans are mortified. Wilſon, p. 694. Annals of James I.

[i] He died on June 15, at the houſe he had built at Charing-croſs, called in his life-time, Northampton-houſe, but leaving it to the earl of Suffolk, it was for a time called Suffolk-houſe, and now Northumberland-houſe. He was warden of the Cinque Ports, and conſtable of Dover caſtle, lord privy ſeal, and chancellor of the univerſity of Cambridge. His body was carried to be buried at Dover. But it was vulgarly rumoured (ſays Wilſon) that his body was carried there, in order to be tranſported to Rome, p. 694. ——Weldon gives him this character: Though a great clerk, yet he was not a wiſe man, but the groſſeſt flatterer in the world, who raiſed himſelf by his flattery.——He was of ſo venomous and cankered a diſpoſition, that he hated all men of noble parts, nor loved any but flatterers like himſelf: He uſed to ſay, that he would be content to be damned pepetually in hell, to be revenged of that proud Welſhman, Sir Robert Manſell, p. 15, 22.

[k] Thomas Howard earl of Suffolk, lord chamberlain, was made lord treaſurer in the earl of Northampton's room, on July 10, and at the ſame time, Carr earl of Somerſet, was made lord chamberlain. Camden's Ann.

allowed

James I. 1614. allowed to purſue their voyage, and others were detained as ſureties for thoſe that went away.

It was now four years ſince the king had called a parliament. It was a great comfort to him to have no diſputes with a houſe of commons, ever ready to complain of grievances, and take occaſion to examine the conduct of the ſovereign or his miniſters. He was much better pleaſed to command abſolutely and without controul. But this was attended with great inconvenience: he was forced continually to invent new methods to raiſe money; and theſe methods, grounded upon abſolute authority, cauſed loud murmurs among the people. Neither did theſe methods bring in ſufficient ſums for the king's occaſions, who loved magnificence, and was always ready to give. Hence ſprung his wants, which inceſſantly increaſed, his revenues as well ordinary or extraordinary not ſufficing for his expences: he ſeemed however to have an inexhauſtible fund, ſo profuſe was he, without conſidering how he ſhould recover what was unneceſſarily given. The following inſtance of his bounty may ſerve to ſhow his character. Being one day in the gallery at Whitehall, and none with him but ſir Henry Rich, afterwards earl of Holland, and James Maxwel, one of his bed-chamber, ſome porters paſſed by with three thouſand pounds, going to the privy-purſe; Rich ſeeing the money, turned to Maxwel, and whiſpered him: the king perceiving it, aſked what he ſaid? Maxwel told him, Rich ſhould think himſelf very happy if he had ſuch a ſum. Whereupon the king calling to the porters, ordered them to carry the money to Rich's lodgings, ſaying at the ſame time, "You think now you have a great purchaſe; "but I am more delighted in giving you the money, than "you can be in receiving it."

The king's profuſeneſs. Wilſon. p. 695.

Ibid.

If the king had been thus laviſh out of his abundance, or out of his ſavings, his generoſity muſt have been laudable. But unhappily, in order to be thus profuſe to a few private perſons, he gained the ill-will of all the reſt of the nation, and was forced to uſe, in order to raiſe money, ſeveral extraordinary methods, which were looked upon as ſo many grievances, and loudly complained of. Moreover, he was obliged either not to call a parliament, or to quarrel with the houſe of commons. James was however the Solomon of the age, the wiſeſt, moſt prudent, and moſt juſt of kings. Theſe at leaſt are the epithets generally given him, and which are even to be found in ſeveral hiſtories penned ſince the reſtoration of Charles II.

Remark on this ſubject.

Coke, p. 78.

The

The king's exceſſive liberality reducing him continually to ſtraits, he had at laſt recourſe to a project formed by the late earl of Saliſbury, namely, to create knights-baronets, a ſort of middle nobility between barons and knights-batchelors. Their number was not to exceed two hundred: but the king at the firſt promotion made only a hundred [m]. To purchaſe this honour, which was to be hereditary, every baronet was obliged to pay to the king a thouſand pounds. But in order to give ſome colour to this new inſtitution, every baronet was obliged by his patent to maintain thirty foot ſoldiers in Ireland for three years, at eight pence a day each ſoldier [n]. Afterwards it was hinted to them, that if they would compound with the king, and pay the whole ſum at once, part ſhould be abated, and the king would maintain his troops in Ireland himſelf; and there was not one but what accepted the offer. The author of the Annals above-mentioned, affirms that the king received only about a hundred thouſand pounds of the baronets, and that the maintenance of the troops in Ireland coſt him much more. So, according to him, this new order was inſtituted merely to eaſe the ſubjects.

James I. 1611.

Creation of baronets. Annals of K. James, p. 8. Wilſon. p. 695.

Beſides this method, the king made uſe of others to fill his empty coffers, without being obliged to have recourſe to the parliament. I ſhall only mention them, without pretending to determine whether the king exceeded his prerogative or not. 1. The king, by his letters patents, granted monopolies to private perſons, excluſive of all others, and raiſed great ſums by theſe ſorts of favours. 2. He iſſued out commiſſions for reviving obſolete laws, for making men who could

Other means to raiſe money. Coke. p. 66.

[m] The firſt baronets were created on May the 22d, 1611, by patent. See Britiſh Compend. part ii. p. 352. They were to have theſe privileges to them and their heirs for ever; place before all Knights-Batchelors, and of the Bath, and all Bannerets; to be impleaded by the addition of Baronet, and the title Sir, and their wives Lady; the king ſhall not create any degree under the dignity of a baron, that ſhall be ſuperior or equal to them; no more to be made, but the full number of two hundred, until ſome died; but the younger ſons of viſcounts and barons (by decree of the king and council upon controverſy) were adjudged to take place before them; and that their heirs male at one-and-twenty ſhall be knighted; and ſhall have either a canton in their coat of arms, or an eſcutcheon, at their election, the arms of Ulſter, argent, a hand gules; their place in the king's armies to be in the groſs, near the king's ſtandard, for defence thereof. Annals of K. James, p. 8. There were made at firſt but ninety; of whom ſir Nicholas Bacon, of Redgrave in Suffolk, was the firſt.

[n] Which comes to juſt one thouſand ninety-five pounds, and not two thouſand, as Rapin ſays by miſtake. And it has been cuſtomary for thoſe who have ſince been admitted into this order without money, to have a receipt endorſed on their patent for the ſaid ſum of 1095l. to be appropriated to the ſame uſes; and for want of ſuch endorſement, ſeveral baronets were compelled in king Charles II's time to pay 1095l.

expend

James I. 1614. expend forty pounds a year, to compound for not being knighted. Formerly, an eſtate of forty pounds a year in land was conſiderable; and therefore the owners of ſuch an eſtate were deemed proper to be made knights, and as ſuch to ſerve the king in his wars, or find ſoldiers: but in king James I's time, ſuch a revenue was inconſiderable; there were infinite numbers who had more, but not deſiring to be knights, choſe rather to give the king money than be obliged to receive an honour which rendered them very dependent. 3. The king made a certain number of knights of Nova Scotia*, each of which paid him ſuch a ſum. 4. The dignities of baron, viſcount, and earl, had a fixed price ſet upon them: the king received for making a baron ten thouſand pounds, for a viſcount fifteen thouſand, and twenty thouſand for an earl. Thus, whoever had money might be made a peer of the realm. 5. The ſame honours were rated likewiſe in Scotland and Ireland, though at lower prices P. 6. Thoſe who had defective titles were obliged to compound with the king for rectifying them, otherwiſe they were declared null and void q. 7. The ſtar-chamber condemned in exceſſive fines to the king's uſe, ſuch as were cited thither; I have already related ſome inſtances, and ſhall have occaſion to take notice of ſome others hereafter. 8. To all this may be added the ſums levied by the king upon his ſubjects, when the prince his ſon was knighted, and his daughter married.

He would have had alſo a good means of raiſing money, if he had demanded of the United Provinces the ſums that were due to him. But, if we believe certain hiſtorians, he durſt not claim his debt, for fear of engaging in a war in caſe of refuſal. A more probable reaſon might be given, by ſaying the places he held in Holland and Zealand kept the ſtates in a ſort of ſubjection, if he had not ſhown two years after that this was not the true reaſon, by receiving his money when offered him by the ſtates.

Coke. p. 78.

* This order of baronets was firſt erected for advancing the plantation of Nova Scotia in America, and for ſettling a colony there, to which the aid of theſe knights was appropriated. It was intended in 1621, but not actually founded till 1625. Scotiſh Comp. p. 502.

P Scotiſh honours of the ſame title, to have the precedence of an Iriſh, as a Scotiſh baron, viſcount, or earl, to have the precedence of an Iriſh; and though an Engliſh honour of like degree, had the precedence of either of the other, yet if either of the other had a higher title, he ſhould precede an Engliſh peer under a leſs; as a Scotiſh or Iriſh viſcount, ſhall precede an Engliſh baron. Coke, vol. i. p. 66.

q And likewiſe compoſitions for aſſart-lands, i. e. for grubbing up the thickets and covert for the deer in foreſts. Coke, p. 67.

In

In fine, the king's revenue not anſwering his expences, recourſe was to be had to a parliament. The earl of Somerſet, having with him neither Overbury nor the earl of Northampton, was at a loſs how to find the king money, and the lord treaſurer his father-in-law was no leſs embarraſſed. All extraordinary means ſeeming to be exhauſted, they propoſed to the king the calling of a parliament. To induce him to it, they put him in hopes that by their intereſt and management, the majority of the commons ſhould be at his devotion. The king was very loth to conſent: but at length was perſuaded, and a parliament was ſummoned to meet the 1ſt of April [r]. James I. 1614.

The king reſolves to call a parliament. Wilſon p. 696. Coke.

This parliament conſiſted not of ſuch members as the king was made to expect. The people, who were diſcontented, inſtead of being gained by the court, choſe repreſentatives of a quite different character from what the miniſters deſired. The very firſt day, the king demanded an aid of money for the marriage of his daughter, and told the commons, after diſpatching that affair, he would give them leave to examine the grievances of the nation. But the commons thought it proper to invert the method preſcribed them, and begin with the grievances. Inſtead therefore of granting the money firſt, as the king expected, they examined to what uſes the revenues of the crown had been applied. The reſult was, that the king had beſtowed on the Scots exceſſive grants both in land and money, and that the Scots having ſold theſe lands to the Engliſh, had conveyed the money into Scotland, to the great detriment of England. If what the king had given to the Engliſh had been as carefully examined, it would have been found ten times more, by the confeſſion of the hiſtorians themſelves [s]; but herein was not ſeen the ſame inconvenience.

The parliament meets. Journ. Parl.

The king demands money. Coke, p. 79.

The commons examine the grievances.

1. Grievance The king's revenues put to ill uſes. Weldon. p. 696.

Then the houſe enquired into the cauſes of the encreaſe of popiſh recuſants; ſince it ſhould rather ſeem that the laws enacted after the gunpowder-plot, ſhould have very much leſſened their number. The firſt cauſe appeared to be the king's admitting into his council popiſh lords, publicly known for ſuch. A ſecond was, the negotiations abroad for the marri-

2. Grievance Increaſe of papiſts.

[r] It did not meet till April 5. Journ. Procer.

[s] Of this ſir Anthony Weldon gives a notable inſtance. He ſays, Saliſbury would make the Scots buy books of fee-farms, ſome 100l. per annum, ſome one hundred marks, and would compound with them for a thouſand pounds, which they were willing to embrace, becauſe they were ſure to have their paſs without any controul or charge; then would Saliſbury fill up his book with ſuch prime land as ſhould be worth ten or twenty thouſand pounds, which, as treaſurer, he might eaſily do, and ſo enrich himſelf infinitely, and caſt the envy on the Scots, in whoſe names theſe books appeared, and are ſtill upon record to all poſterity, p. 60.

James I. 1614. age of the late prince Henry, and prince Charles with popiſh princeſſes.

3. Grievance Monopolies.

After that the commons took into conſideration the monopolies authorized and licenced by the king's letters patents, to the great prejudice of trade; and the extraordinary levies of money without the conſent of the parliament. Upon all theſe grievances it was reſolved to repreſent them in a petition to his majeſty, and to pray him to redreſs them, and eſpecially to hinder the future ſettlement of the Scots in England.

The commons vote an addreſs.

The parliament is diſſolved. Wilſon, p. 696. Coke.

The behaviour of the commons was ſo different from that of the courtiers, who never ſpoke of the king but with admiration, that his majeſty had not patience to bear it: ſo, on the 7th of June he diſſolved the parliament, after a ſeſſion of about two months, wherein one ſtatute was not enacted.

Some members impriſoned.

The parliament was no ſooner diſſolved, but the king committed to priſon ſeveral members of the houſe of commons, who had ſpoken the moſt freely, without admitting them to bail [t].

Account of the electreſs's marriage expences.

The parliament not anſwering the king's expectation, and his exchequer being empty, there was a neceſſity of recurring to new expedients to fill it. But before we ſpeak of theſe expedients, it will not be amiſs to ſhow one of the chief cauſes of the king's being reduced to ſtraits: I mean the electreſs his daughter's marriage, which had coſt him very near a hundred thouſand pounds, according to the following account, inſerted in his book by the anonymous author of the Annals above-mentioned.

Annals of K. James, p. 9. State of the revenue, p. 14.

	l.
For the palſgrave's diet at his ſtanding houſe	6000
For his diet at his inſtalment of the garter	4000
For diet at his marriage	2000
For lodging for his ſervants	830
To the wardrobe for apparel for the princeſs Elizabeth	6252
For furniſhing her chamber	3023
Apparel and neceſſaries for her to my lord Harrington's	1829
Jewels and apparels for her ſervants	3914
To divers merchants for ſilk, etc.	995
Carried forward	28843

[t] Theſe were Chutts, —— Nevil of lord Abergavenny's ſon, Wentworth, Jo. Hoſkins. Camden's Annals. This (ſays Coke) was the greateſt violation of the privileges of parliament that ever was done by any king of England before, p. 79.

	l.
Brought forward	28843
The lords maſk at her marriage	400
For the naval fight of fire-works on the Thames at her marriage	4800
More fire-works on the Thames at her marriage	2880
To ſir Eward Cecil as treaſurer, for her journey from hence to Heidelberg, and for her purſe	2000
For ſettling her jointure, and charges to ſome of the gentry to go thither and to take the aſſurance	800
The charges of her journey	8000
For her tranſport to Fluſhing	5555
Paid over to the Palſgrave's agent for her portion	40000
[a] Total	93278

The king reſolving to call no more parliaments, extraordinary means were to be deviſed to ſupply his expences, his ordinary revenues being far from ſufficient: To that end, certain perſons diligently ſearched into hiſtory to diſcover what had been done by former kings in the like caſes, or when there was not time to call a parliament. Among all theſe methods the court choſe the way of benevolence invented by Edward IV. aboliſhed by Richard III. and once revived, if I am not miſtaken, by the parliament itſelf in the reign of Henry VIII. Nevertheleſs, the author of the Annals pretends that James only followed the conſtant example of all his predeceſſors, and upon theſe pretended examples, and the cuſtom in France and Spain, undertakes to vindicate him. But there would be too many things to be ſaid upon this head, if it ſhould be inſiſted on.

The king levies a benevolence. Wilſon, p. 696.

Annals of K. James, p. 10. Coke.

The reſolution being taken not only to demand but extort a benevolence, all the ſheriffs were ordered by the council to aſk of all private perſons within their diſtrict a free gift in proportion to the king's wants. At the ſame time they were expreſly commanded to return to the council the names of ſuch as ſhould refuſe to contribute, or not give according to their abilities. This ſhows the king did not mean the benevolence ſhould be entirely voluntary. This method however was not ſo ſucceſsful as the king had expected. The more

Wilſon.

[a] Though this account ſeems [illegible] and his opinion that the parliament the moment, it may ſerve however to ſhow as obliged to find him money for theſe ſhow the liberal temper of the king, expences. Rapin.

eager

James I. 1614.

eager the ſheriffs and court-party were to excite the people's liberality, the more induſtrious were others to diſſuade them from it, by ſetting before them the conſequences. So, if we may believe the author of the Annals, the benevolence procured the king but 52909l. "which yet (continues he) "madded the ill-minded men (pillars, ſo ſome call them, to "the kingdom's liberties) always plotters to the kingdom's "miſeries, who being aſhamed to be out-done in honeſty "and honour, they juſtly drew upon themſelves a mark of "malignity. — And yet they would be meddling, deviſing "poor arguments, to pretend it was againſt the ſubjects li-"berties, though accuſtomed evermore by examples of all "former ſovereigns." Others ſpeak of it very differently, and repreſent this way of raiſing money upon the people as a real extortion and encroachment on the nation's liberties.

Remarks on king James's hiſtorians.

Thus do king James's hiſtorians contradict one another, not in facts but in principles, ſome deeming illegal what others maintain to be the undoubted prerogative of the crown.

The king of Denmark's viſit. Wilſon. Howes.

The money ariſing to the king from the benevolence, though no great ſum, came however very ſeaſonably for the king of Denmark's reception, who made him a ſecond viſit with a train of forty perſons only. During the fortnight he ſtayed in England [w], entertainments and diverſions never ceaſed.

The Ruſſian ambaſſy. Howes.

Shortly after, the king received with great pomp the Ruſſian ambaſſador ſent by the czar, to deſire him to be mediator between him and the king of Sweden, on account of their differences.

Project againſt the favourite. Wilſon, p. 697.

Hitherto the earl of Somerſet poſſeſſed the king's heart ſo entirely, that the queen herſelf grew jealous. Some ſay ſhe inwardly grieved for the death of prince Henry, and ſuſpected him to be the author: others ſay only, that his greatneſs had ſo blinded the favourite, that he was wanting in reſpect to the queen [x]. However ſhe had conceived a very violent hatred of him; and to ruin him the more eaſily, ſhe thought proper to gain ſir Ralph Winwood, who was ſtill ſecretary of ſtate [y], but without exerciſing the office, at leaſt in important affairs, becauſe the earl of Somerſet had ſeized the management of every thing. Winwood readily joined with the

Weldon, p. 93.

[w] He arrived at London July 22, and embarked at Graveſend Auguſt 1. Howes, p. 1012.

[x] Or elſe from an apprehenſion that the king's love and company was alienated from her, by this maſculine converſation and intimacy. But it was more probably, from a ſuſpicion of his being concerned in the prince's death; for ſhe would never ſee him after it. Wilſon, p. 697.

[y] He was made ſo March 29, 1614. Camden's Annals.

queen

queen to ruin the earl, who left him only the title of secretary. This was a preparative to the revolution which happened the next year. James I. 1614.

Before I end this year, I must not forget to mention the memorable undertaking of Mr. Hugh Middleton, citizen and goldsmith of London, who, having an act of parliament for his warrant, found means to bring water from Hertfordshire to the principal parts of the city for the conveniency of the inhabitants [z]. Water conveyed to all parts of London. Howes. Stow's Survey.

The king was wont twice a year to take a journey into some part of the kingdom: these journeys were called Progresses, one whereof was made in winter, the other in summer. In his winter-progress in the year 1615, he passed thorough Cambridge, where the scholars entertained him with a comedy called Ignoramus, which ridiculed the common law. Nothing could be more diverting to the king: the civil law, or the laws made by the supreme authority of the Roman emperors, appeared to him of much greater value than the common or statute law; and he could not forbear now and then to speak of these with contempt: wherefore he was so delighted with the play, that he caused it to be acted twice in his presence during his short stay at Cambridge. 1615. The king's progress to Cambridge. Coke. Camden. Annal. Comedy called Ignoramus. Historic. Narrat. c. 33.

At this play it was, that the king was struck with a new object, which made the same impression upon his mind as Robert Carr did the first time he saw him [a]. This was George Villiers, a young gentleman who appeared before him with all the advantages of a good mien, a fine shape, and a handsome and well-made suit of cloaths. Every one perceived he looked upon this young man with pleasure, and from that moment it was thought Villiers might supplant the earl of Somerset. And indeed with that view it was that certain lords had brought him before the king, and placed him at the play just opposite to him. George Villiers. Coke, p. 82.

George Villiers was of a good and antient family in Leicestershire, son of Sir George Villiers [b], of Brookesby, by a second wife, who bore him three sons, of whom this George was the second [c]. After the death of Sir George, his widow His extraction. Wilson, p. 699. Coke, p. 80. Weldon.

[z] He cut a channel from the two great springs of Chadwell and Amwell, near Ware in Hertfordshire; in which the water is conveyed to a large pond at Islington, and from thence in pipes to all places of the city. This new river runs under near eight hundred bridges. Howes, p. 1015.

[a] It was not at Cambridge that the king first saw Villiers, but at Apethorpe in Northamptonshire. Dugdale's Baron. vol. ii. p. 420.

[b] Rapin by mistake calls him Sir Edward.

[c] The lord Clarendon by mistake says, he was the eldest. vol. i. p. 9. See Dugdale's Baron. vol. ii. p. 42[illegible].

James I. married Sir Thomas Compton, brother of the lord Compton [d].
1615. As George Villiers was but a younger ſon of a ſecond bed, his fortune could be but ſmall; nevertheleſs, his mother took great care of his education. After he had finiſhed his ſtudies, ſhe ſent him into France, where he made himſelf perfect maſter of the French tongue, with all the exerciſes proper for a gentleman, and eſpecially dancing, wherein he excelled. When he returned from his travels, his mother ſent him to court to make himſelf known, and endeavour to procure himſelf friends and a place [e]. He no ſooner appeared there, but the earl of Pembroke, the earl of Bedford, and ſome other lords, enemies to the favorite, and who ſought his deſtruction, fancied this young man might be ſubſervient to their deſign. They knew the king ſufficiently, to hope he would be taken with the outward accompliſhments of this new-comer. To that end, they liberally ſupplied him wherewith to deck himſelf and attract the king's eyes. Their project ſucceeded to their expectation. The king being at the play, looked with admiration on George Villiers, and could not help ſhowing ſome ſigns of his growing inclination. He took care however to conceal it as much as poſſible, not to alarm the earl of Somerſet; nevertheleſs, he reſolved from that inſtant to have Villiers near his perſon, imagining he might eaſily keep both. So, to have time to manage the affair, he privately cauſed Villiers to purchaſe a cup-bearer's place, and to be inſtructed how to behave.

Annals, p. 30.

Weldon, p. 91.

Beginning of his fortune.

He is made cup-bearer to the king. Wilſon. Weldon.

What care ſoever the king might take to conceal his new inclination, the courtiers did not not fail to diſcover it. Somerſet, as moſt concerned, was harder to be deceived than the reſt. His office of lord chamberlain giving him a great authority over the king's ſervants, he did not want oppor-

[d] Mary Beaumont, daughter to Anthony Beaumont, younger ſon to William Beaumont of Cole-Orton, Eſq; was entertained in Sir George Villiers's family, in a mean office in the kitchen; but Sir George taking notice of the beautiful and excellent frame of her perſon, he prevailed with his lady, to remove her out of the kitchen into her chamber. My lady dying ſoon after, Sir George became ſo enamoured of Mary, that he married her, and at his death left her a jointure of [illegible] a year. This account Roger Coke, [illegible]; had from a lady, whoſe younger ſiſter [illegible] was married to the viſcount [illegible], eldeſt ſon of Sir George Villiers, by Mary Beaumont. After Sir George's death ſhe was married firſt to Sir Thomas Rayner, and afterwards to Sir Thomas Compton, knight of the Bath. Coke, p. 80. Dugdale. Weldon, p. 89, &c.

[e] He was about twenty-one years old when he returned to England. Clarend. tom. i p. 9. At his firſt coming to London he was inclined to court Sir Roger Aſton's daughter, but Sir John Graham diſſuaded him from marrying, and encouraged him "to wooe fortune in the court." Dugdale, ubi ſupra. Weldon, p. 90.

tunities

tunities to vex and mortify Villiers, who bore all with patience; and the king feigned not to perceive it. But at laſt, an accident happened which ſuffered not the king to diſſemble any longer. It was cuſtomary for the cup-bearer whoſe turn it was to be in waiting, to have the firſt place at the table where the cup-bearers dined. Villiers having begun his month, ſat at the upper-end during the whole time of his ſervice, without any oppoſition. But offering to ſit in the ſame place after his month was expired, the perſon, whoſe turn it was to wait, rudely thruſt him from thence, which greatly confounded him. Some days after, the ſame cup-bearer carrying a glaſs of wine to the king, let it fall accidentally or deſignedly on Villiers, who gave him a box on the ear. It is a law of a long ſtanding at court, that whoever ſtrikes another in the king's palace, is to loſe his right-hand, with many formalities. It is the lord chamberlain's buſineſs to ſee crimes of this nature puniſhed, and the earl of Somerſet failed not to do all that lay in his power to have the law executed to the utmoſt rigour. But the king granted Villiers a pardon, without enjoining any ſatisfaction to the party offended. This was the firſt public mark of his affection for Villiers.

James I. 1615.

Adventure that befel Villiers.

The king gives him a great mark of his favour.

From thenceforward, the earl of Somerſet's enemies labour-ed inceſſantly to ruin him in the king's favour, in which they could not better ſucceed, than by cheriſhing the king's new inclination by immoderate commendations of Villiers. The truth is, that even before he had ſeen Villiers, the king began to be weary of Somerſet, who was not ſo agreeable as when he was firſt taken into favour. Since his marriage with the counteſs of Eſſex, he was grown very melancholy, of which probably Overbury's death was the cauſe, and become more careleſs of his perſon and dreſs. He had loſt that vivacity which rendered him ſo agreeable to the king, and his temper, now gloomy and ſullen, induced him harſhly to oppoſe ſome wanton tricks which were now and then played in the king's anti-chamber, and wherein his majeſty took a ſingular delight. Nay, he was become ſo intereſted, that he did nothing for any one without money. His enemies did not forget to inform the king, or hint the ſame to him, knowing how much it might conduce to make him forfeit his favour, ſince there was no vice more contrary to the king's humour than avarice. The queen for her part miſſed no opportunity to do him ill offices: ſo that, in all appearance the project of making Villiers the king's favorite was formed upon the viſible ſigns of the earl of Somerſet's decline.

The king is diſguſted with Somerſet. Coke, p. 82.

Weldon. P. 92.

James I. 1615.

The whole court perceived the alteration in the king ſince he had Villiers about him, and every one ſtrove to thruſt the old favorite down the precipice. The beſt way to that end, was to oblige the king to declare for Villiers; but there was a great obſtacle to be removed. The king, by a very groſs artifice, would have no favourite but of the queen's recommending, that in caſe ſhe complained of him afterwards, he might ſay, he had received him at her hands. This was the king's turn, who fancied by ſuch a device, to impoſe upon the queen and the whole court. The buſineſs therefore was to prevail with the queen, to recommend Villiers to the king. But ſhe was already prejudiced againſt the young man, and not ſeeing with the king's eyes, perceived nothing in him worthy of ſo great an advancement. Perhaps too, ſhe had caſt her eyes on ſome other, to procure him that favour. Somerſet's enemies knowing how the queen ſtood affected to Villiers, thought the archbiſhop of Canterbury alone able to perſuade her to what they deſired. The archbiſhop, who neither loved nor valued the earl of Somerſet, readily undertook to ſpeak to the queen; but his firſt attempt was in vain. The queen, who was perfectly acquainted with the king's temper, told the prelate, that neither he, nor they who ſet him on, knew what they did; adding, "I know the king "better than you all, for if this young man be once brought "in, the firſt perſons he will plague, muſt be you that la"bour for him; yea, I ſhall have my part alſo. The king "will teach him to deſpiſe and hardly intreat us all, that he "may ſeem to be beholden to none but himſelf."

The queen is perſuaded to ſpeak for Villiers. Coke, p. 83. Abbot's vindication in Ruſhworth, t. i. p. 434, &c.

Ruſhworth, p. 456. Edit. 1721. Coke, p. 83.

For this time the archbiſhop could not prevail with the queen; but afterwards he ſo preſſed her, that at length ſhe deſired the king to receive Villiers as a favorite. The king, who only waited for this, ſent immediately for Villiers, knighted him with the prince of Wales's ſword, and ordered him to be ſworn gentleman of the bed-chamber. Somerſet hearing of it, came immediately, and intreated the King to make Villiers only a groom; but the archbiſhop and other lords beſought the queen to compleat the work; and at laſt Villiers was admitted to the poſt ordered him by the king [f]. As ſoon as he was out of the king's preſence, he waited upon the archbiſhop, and acknowledging himſelf indebted to him for his good fortune, deſired his inſtructions how to behave. The

He is made gentleman of the bed-chamber. Wotton. Camden. Ann. Howes.

[f] He was ſworn into it, April [illegible] court of wards. Wotton's Life of and had a yearly penſion of a thouſ[illegible] Villi[illegible] pounds aſſigned him, payable out of th[illegible]

prelate

prelate told him, he had three leſſons to give him: firſt, to pray without ceaſing for the king's proſperity, and for grace to ſerve his maſter faithfully. Secondly, to labour continually to preſerve a good union between the king, queen, and prince. Thirdly, to tell the king nothing but truth. Then he cauſed him to repeat theſe three leſſons before him, to ſee if he retained them. The king hearing this, was extremely well pleaſed with it, and ſaid, theſe leſſons were truly worthy of a biſhop. The queen's prediction proved but too true with regard to the archbiſhop, who was one of the firſt to whom Villiers became ungrateful. Mean while, Villiers being come to court without a great ſtock of money, the king eaſily gueſſed he wanted a ſupply. Had it been in his power to follow his inclination, this ſupply would have been very conſiderable; but he was himſelf ſo deſtitute of money, that a preſent of a thouſand pounds was all he could ſpare at that time.

James I. 1615.

The archbiſhop inſtructs him how to behave. Ruſhworth, p. 457.

The king gives him 1000 l. Hiſtoric. Narrat. c. 33. Coke.

After Villiers was made gentleman of the bed-chamber, ſeveral courtiers adhered to him, in hopes he would ſoon have the advantage of his rival. Others continued firm to the earl of Somerſet, whether out of gratitude, or for fear of ruining their fortune by falſe conjectures. Two parties therefore were formed at court, who mutually claſhed upon all occaſions. If the king had at once diſmiſſed Somerſet, all would have been quiet; but he intended to keep both, not ſo much out of love to Somerſet, of whom he was tired, as to avoid the imputation of inconſtancy. Thus the king ſtill affecting to ſhow he loved his old favorite as well as ever, the courtiers were greatly embaraſſed. But Villiers daily ſtole the hearts of the courtiers and petitioners from his rival, by his noble and generous way of promoting their ſuits.

Two parties are formed at court. Weldon.

Coke, p. 84.

Mean while, the earl of Somerſet perceiving, he daily declined in favour, before all things thought of ſecuring himſelf from the danger to which he might be expoſed by Overbury's murder. Though he knew the king had not the ſame affection for him as formerly, he hoped however, as it was not entirely extinguiſhed, to obtain what at leaſt would free him from uneaſineſs. So, ſpying a favorable opportunity, he caſt himſelf at the king's feet, and repreſented to him, that having ſerved him ſome years in a very dangerous poſt, it was difficult not to fall into ſome miſcarriages, and therefore beſought him to grant him a general pardon, which might ſecure him from the malice of his enemies. The king very readily complied with his requeſt, and ordered as ample a pardon as poſſible to be drawn. This was accordingly done;

The earl of Somerſet procures a pardon; Wilſon. p. 698. Hiſtoric. Narrat. c. 32.

James I. 1615. but, whether through the ignorance or malice of the perſon who drew the inſtrument, the king was made to ſay in it, that "He pardoned not only all manner of treaſons, murCoke, p. 84. "ders, felonies and outrages whatever, already committed, "but alſo thoſe which ſhould be hereafter committed by the "earl of Somerſet[g]." The king ſigned the pardon without any ſcruple, and perhaps without reading it. But the lord chancellor Egerton refuſed to put the ſeal to it[h]; ſaying, as there had never been an inſtance of ſuch a pardon, he ſhould incur a Præmunire if he paſſed it; and when he told the king the reaſon of his refuſal, he eaſily ſatisfied him, he could not anſwer ſetting the ſeal to the pardon. Nothing was more eaſy than to draw another pardon, without the clauſe diſliked by the chancellor: but whether the queen was againſt it, as ſome affirm, or Somerſet did not care to diſcover too plainly the occaſion he had for a pardon, or the king was now informed of the circumſtances of Overbury's death, nothing more was ſaid of it. Indeed, it is likely the king had now ſome knowledge of Overbury's treatment, but perhaps not ſufficient to ſatisfy him of the earl's guilt. However, he began his ſummer-progreſs before the affair became public.

But the chancellor would not paſs it, Ibid.

Uncertainty of the courtiers, with reſpect to the favourites, Weldon.

The king's diſſimulation with reſpect to his two favorites held the court in continual ſuſpenſe. Many were afraid of adhering to Villiers, leſt his credit might not yet be firmly eſtabliſhed. Others declared openly againſt Somerſet, in order to make a merit of it with the new favorite. Winwood was one of theſe, and affected, upon all occaſions, to oppoſe the earl of Somerſet, who had it not in his power to be revenged. During the whole progreſs, there were many diſputes and quarrels between the two parties, to the king's great diſguſt. At length, the fatal blow was given, at the court's return to Royſton.

The king is informed of Overbury's being poiſoned. Weldon, p. 94. Wilſon, Franklyn's Annals.

Franklin, who adminiſtred the poiſoned clyſter to Overbury, made uſe, to compoſe it, of one Reeve an apothecary's boy, who was afterwards ſent into Flanders, or perhaps run away from his maſter. This Reeve being at Flushing, where ſome buſineſs had brought Sir William Trumbull his majeſty's envoy at Bruſſels, got acquainted with ſome of his ſervants,

[g] The pardon was drawn by Sir Robert Cotton, and this clauſe taken out of a bull granted by the pope to cardinal Wolſey. Coke. Hiſtoric. Narrat. p. [illegible].

[h] Wilſon ſays, that the queen prevailed with the chancellor not to let the pardon paſs the great ſeal, till after the king's return to London; by which time the affair of Overbury was become quite publick, p. 698.

and

and whether unadviſedly, or with deſign, informed them of what he knew concerning Overbury's death [i]. The ſervants telling their maſter what they had heard, he examined Reeve himſelf, and drawing from him what he deſired, found means to detain him at his houſe. Then he writ to Winwood, deſiring him to obtain the king's leave for him to come to England, becauſe he had ſome things to reveal, which he could not truſt to paper. Leave being granted, he acquainted Winwood with what he had learned [k], and Winwood told it the king, who commanded them both to keep it private till further orders. James I. 1615.

He keeps it private.

Some time after, the king being returned to London, wanted to reconcile his two favorites, to be freed from the continual importunities occaſioned by their conteſts, and thoſe of their adherents. He thought he had found a notable expedient, by obliging Villiers to make the firſt advances, and deſire the earl of Somerſet's favour and protection. To that purpoſe, he ordered Sir Humphrey May, Somerſet's creature, but who ſhowed great reſpect for Villiers, to tell the earl, as of himſelf, that he was credibly informed, Villiers would come and deſire his friendſhip and protection, and adviſed him to receive him civilly, and that by giving the king this token of his compliance, he would ſtill be very much in favour, though he was not to flatter himſelf with reigning alone in the king's affection. Sir Humphrey May having diſcharged his commiſſion, and perceiving the earl of Somerſet unwilling to follow his advice, was at length forced to tell him in plain terms, that what he had ſaid was by the king's order, and warned him to conſider ſeriouſly the conſequence of a refuſal. About half an hour after, Villiers came to the earl's, and uſed theſe very words: "My lord, I deſire to be your ſer-"vant and creature, and to take my court-preferment under "your lordſhip's favour, and your lordſhip ſhall find me as "faithful a ſervant as ever did ſerve you." To this ſo ſubmiſſive a compliment, the earl returned this ſhort and quick anſwer, "I will have none of your ſervice, and you ſhall "have none of my favour. I will, if I can, break your "neck, and of that be confident." Theſe words very much exaſperated the king, who from that inſtant reſolved to be rid of the earl of Somerſet.

He tries in vain to make his two favorites friends. Weldon, p. 97, 98.

[i] Reeve falling ſick at Fluſhing, diſcovered the whole matter. Weldon, p. 698.

[k] Winwood himſelf got the firſt information of this horrible buſineſs, from the counteſs of Shrewſbury, then priſoner in the Tower, and whom he frequently uſed to viſit; who had been told of it by Sir Gervaſe Elways. Weldon, p. 95.

James I. 1615.

It is hard to gueſs whether, ſuppoſing the earl of Somerſet had behaved with more condeſcenſion to the king, and been reconciled to Villiers, Overbury's affair would have been buried in eternal oblivion. This ſeems at leaſt to be the courſe the king had reſolved to take, if the earl had been inclined to do what he deſired. Be this as it will, the king being come to Royſton, to begin his winter-progreſs, expreſſed no diſpleaſure againſt Somerſet, but lived with him as he was wont, without the leaſt ſign of any alteration in his friendſhip. But ſome days after, he ſent in the night a meſſenger to lord chief juſtice Coke, with a letter, ordering him to make a warrant to apprehend the earl of Somerſet at Royſton, and his counteſs at London, with Franklin, Weſton, Mrs. Turner, and Sir Gervaſe Elways, lieutenant of the Tower. The meſſenger was ſent back to Royſton at four a-clock in the morning, with an officer of juſtice to execute the warrant. At his arrival, the officer found the king with his arms about Somerſet's neck, who was juſt going to London, and affectionately ſaying to him, "When ſhall I ſee "thee again, Somerſet?[l]" At that very inſtant the officer arreſted the earl by Sir Edward's warrant, who exclaimed, that ſuch an affront was never offered to a peer of the realm in the king's preſence. The king feigning ignorance, and aſking what was the matter, ſaid jeſtingly, "Nay, man, there is "no remedy, for if Coke ſends for me I muſt go." Then accompanying him to the ſteps before the door, he deſired him, as he was going down, to return ſpeedily, ſaying, he could not live without him. As ſoon as Somerſet was in his coach, the king ſaid, in the hearing of ſome perſons, who told it again afterwards, "Now the deel go with thee, I will never "ſee thy face more." If this be true, it muſt be owned, it was a needleſs and very ſtrange diſſimulation; but king James took delight in things of this nature.

Somerſet arreſted, with the reſt of the complices of Overbury's death. Wilſon, p. 698. Coke, p. 87. The king's extreme diſſimulation. Weldon, p. 102.

At his coming to London, the earl of Somerſet was ſent to the Tower[m], his counteſs, and the reſt of the complices, having been arreſted and committed, whilſt he was on the road. The ſame day, chief juſtice Coke going to Royſton,

The king's injunction to chief juſtice Coke. Coke, p. 87. Wilſon. Weldon. p. 100.

[l] The words at length, as related by Weldon, were, "For God's ſake "when ſhall I ſee thee again? On my "ſoul, I ſhall neither eat nor ſleep, "until you come again." The ear[illegible] told him on Monday, (this being on Friday) For God's ſake, ſhall I, ſhall I? Then lolled about his neck; then, For God's ſake, give thy lady this kiſs for me: In the ſame manner at the ſtairs head, and at the middle, and foot of the ſtairs, p. 102, 103.

[m] He was at firſt, on October 18, committed to the cuſtody of Dr. Mountain dean of Weſtminſter. Camden's Ann.

the

the king told him all he had heard from Trumbull, and enjoined him, with all poſſible ſcrutiny, to ſearch into the affair, without partiality or reſpect of perſons. He concluded with ſaying, "God's curſe be upon you and yours, if you ſpare "any of them: And God's curſe be upon me and mine, if "I pardon any one of them." James I. 1615.

Coke receiving ſuch ſtrict orders, was very active in the affair. Nay, ſome pretend, he was too active, and that finding in the earl of Somerſet's papers, indications of his being concerned in the death of prince Henry, he had not the prudence to conceal them. However this be, moſt of the parties accuſed were tried in October and November, and being found guilty, were condemned and executed [n]. Sir Thomas Monſon, who was alſo arreſted, appeared twice before the judges, and at the ſecond time Coke received a note from the king, which obliged him to ſend back the priſoner to the Tower, with theſe words, "Take him away, we have "other matters againſt him of a higher nature." It is affirmed, Coke ſaid aloud one day, as he was ſitting on the bench, "God knows what became of that ſweet babe prince "Henry, but I know ſomewhat," and then ſtopped ſhort. This gave occaſion to think, he had made ſome diſcovery concerning the prince's death [o]. The guilty are condemned and executed. Truth brought to light. Wilſon, p. 699. Howes. Weldon. p. 112. Weldon, p. 113, 123.

Simon Maſon, ſervant to Monſon, who had been employed to carry a poiſoned tart to Overbury, being likewiſe brought before the court, the judge ſaid to him, "Simon, thou hadſt "a hand in this poiſoning buſineſs." "No, my good lord, "(anſwered Simon) I had but one finger in it, which coſt "me all my hair and nails." He had, it ſeems, out of liquoriſhneſs, as he was carrying the tart, taſted with his finger a little of the ſyrup. This ingenious anſwer cauſed him to be acquitted: for it was thought he would not have taſted the ſyrup, had he known it to be poiſoned. Ib. p. 106,

The trial of the earl of Somerſet and his counteſs was de-

[n] Weſton was tried and condemned, October 19, 23. Mrs. Turner, November 9. Sir Gervaſe Elways, (or Helwyſſe, as he himſelf writ his own name) November 16. Franklyn, November 27.——Weſton was executed November 25. Anne Turner, November 14. Franklyn, about the beginning of December, all at Tyburn. And Sir Gervaſe Elways on Tower-hill, November 20. See Truth brought to light, p. 108—159. State Trials, vol. i. Camden's Ann.

[o] He intimated as if Overbury had been concerned in prince Henry's death, and the king in Overbury's; whereupon it was ſaid, that the king went to the council-table, and kneeling down, deſired God to lay a curſe upon him and his poſterity for ever, if he were conſenting to Overbury's, in revenge for the prince's death. Wilſon, p. 702.

ferred

James I. 1615. ferred to May the next year 1616 [p]; but not to be obliged to return to this affair, I ſhall relate here the circumſtances of the trial. If we may believe Sir Anthony Weldon, author of a little book entitled, The Court and Character of King James, which is properly but a ſatire, the king had aſſured the earl of Somerſet he ſhould not be brought to a trial. For that reaſon, when George More, lieutenant of the Tower, came and told him, he muſt prepare for his trial on the morrow, he anſwered, That poſitively he would not appear, unleſs he was carried by force in his bed. The ſame author adds, the king being informed of it, ſent him word, he could not hinder his appearing before the judges, but would prevent the paſſing any ſentence upon him [q]. By this artifice, ſays Weldon, the earl was prevailed with to appear in court, where he pleaded in his defence from eight in the morning, till ſeven in the evening, when, contrary to his expectation, ſentence of death was paſſed upon him, as guilty of Overbury's murder. The ſame author ſays, the king was terribly uneaſy all the day, neither was he at reſt till the news came of his condemnation. This author's aim, in relating theſe and many other circumſtances, was to inſinuate, that the king was afraid the earl of Somerſet, to ſave his life, would reveal ſome ſecrets he had a mind to conceal. But theſe ſecrets are not explained, and probably are only chimera's. If the king had feared any thing from the earl of Somerſet, he would never have brought him to a trial, or commanded the judge to examine him ſtrictly. Nevertheleſs, though Weldon be ſatirical, and there is no depending upon his teſtimony, ſome truth however appears in what he relates, ſince the king's conduct, after the earl of Somerſet's condemnation, ſhows there was in this affair ſome circumſtance by which he was embarraſſed.

The earl of Somerſet's trial. State-Trials Weldon. p. 115.

He is condemned to die. Franklin's Annals.

The counteſs is condemned alſo. May 24.

The counteſs of Somerſet being brought before the court, pleaded only with a ſhower of tears, which raiſed ſome compaſſion in her judges, but however, hindered her not from

[p] The counteſs was tried on May 24, and the earl May 25, both in Weſtminſter-hall; the lord chancellor being appointed high-ſteward on that occaſion. See Camden's Ann. and State-Trials, and Rymer's Fœd. tom. xvi. p. 781.

[q] Weldon ſays, when More told the king, how much he was ſurprized at Somerſet's ſaying, he would not appear, and that the king durſt not bring him to a trial, the king falls into a paſſion of tears, and ſays, "On my "ſoul, More, I wot not what to do; "thou art a wiſe man, help me in this "ſtrait, and thou ſhalt find thou doſt "it for a thankful maſter." Whereupon More aſſures the king, he would do his utmoſt to ſerve his majeſty, and leaving him, went and uſed the ſtratagem above-mentioned. This relation the author ſays, he had from More's own mouth. Court of King James, p. 115—117.

being

being condemned to die as well as her lord. The king granted them a reprieve which was often renewed till the year 1621, when they had liberty to go and live at a country-ſeat, without however being releaſed from their ſentence. At laſt, in 1624, about four months before the king's death, a pardon was granted them. After the earl of Somerſet was condemned, the king gave him four thouſand pounds a year in land, which he took in his ſervants names. This noble preſent, the pardon granted the earl, notwithſtanding the curſe denounced by the king againſt himſelf and poſterity, if ever he pardoned the guilty, his reſtleſſneſs during the trial, the note ſent to the chief juſtice whilſt he was trying Sir Thomas Monſon, Coke's imprudent words concerning prince Henry, and his diſgrace which ſoon followed, all theſe things, I ſay, have given occaſion to king James's enemies to inſinuate, he was conſcious of ſome guilt, and they have been pleaſed to apply the whole to prince Henry's death. But, beſides that all theſe circumſtances could at moſt only form a bare preſumption, who can affirm them to be all preciſely true? Amidſt the perpetual contrarieties in the authors who write of king James I. it is hard to know diſtinctly the truth. Some paſs over in ſilence particulars which are chiefly inſiſted upon by others, or abſolutely deny facts, which the others advance as inconteſtable. Some there are whoſe aim was to give a very ill idea of the manners and qualities of this prince, whilſt others repreſent him as a very wiſe, juſt, and religious king. Some penned his reign while the civil wars raged in England, or when the monarchy was changed into a commonwealth. Theſe thought to do their country ſervice, in demonſtrating that the project of enſlaving England was begun in the reign of king James I. and purſued in that of Charles I. Others wrote after the reſtoration of Charles II. when the civil wars were ſtiled an unnatural rebellion, and when the fear of falling under an arbitrary government was termed chimerical. Hence ariſes the difficulty of making a choice amidſt all the contrarieties between the hiſtorians. Unhappily the ſame parties ſtill ſubſiſt with the ſame prejudices. So there is little hopes of ſeeing an impartial hiſtory of England, from the beginning of king James the Firſt's reign to our time. Let a hiſtorian turn which way ſoever he pleaſes, he will be looked upon as partial, by one or other of the two factions. This is a remark abſolutely neceſſary, as well for the fact I have juſt mentioned, as for the whole reign of James I. and ſtill more for the following.

James I. 1615.

They are reprieved, Truth brought to light. Wilſon. and at length pardoned. Weldon, p. 120. Occaſion of the king's being ſuſpected to be concerned in prince Henry's Death; with his vindication.

To

James I. 1615.

To finish what relates to the earl and countess of Somerset, I shall briefly add, that their love which had engaged them to commit such abominable deeds, turned at last to hatred. They lived together many years in one house, as strangers to each other, and at last the countess died of an uncommon disease[r]. The earl lived long enough[s] to see his daughter married to the duke of Bedford, who had by her the lord Russel, beheaded in the reign of Charles II.

Wilson. p. 699.

Death of Arabella Stuart. Annals. p. 17. Wilson. p. 702. Camden's Annals.

Arabella Stuart, first-cousin to the king, died in the Tower the 27th of September 1615, a little before the trial of the complices of Overbury's murder. Many seeing that on occasion of these trials, prince Henry's death began to be talked of afresh, imagined this kind woman of his majesty might also be poisoned. This is what some historians, enemies to king James, have advanced, or at least insinuated, without any other foundation than this malicious report, grounded upon the chimerical project in the beginning of the present reign, of setting Arabella on the throne. She was daughter of Charles Stewart, younger brother to Henry, his majesty's father. Consequently, she could have but very remote pretensions to the crowns of England and Scotland, which James enjoyed not by the title of the Stewart family, of which he was by the father's side, but by his mother queen Mary's right, to whom Arabella was only a very distant relation. The king therefore must have carried his suspicions beyond all imagination, to resolve to poison this relation at a time when there was no commotion either in England or Scotland, and when she was actually in prison. The cause of her disgrace was, her privately espousing without the king's consent Sir William Seymour, grandson of the earl of Hertford, for which the king sent them both to the Tower, from whence some time after they made their escape with intent to fly into France. Seymour had the good fortune to escape, but Arabella was taken and shut up in the Tower, where she died[t].

She is suspected to be poisoned. Vindication of the king.

Act. Pub. xvi. p. 710.

[r] The reader may see an account of it in Wilson, p. 83. or in Compl. Hist. p. 699. She died in August 23, 1632, in the lord viscount Wallingford's house.

[s] He died in July 1645. and was buried in the parish church of St. Paul's Covent-Garden. Dugdale's Baron. vol. ii. p. 426.

[t] Sir William Seymour upon his marriage was committed to the Tower, but Arabella was confined to her house at Highgate. After some time they appointed to meet at a certain place on the Thames, in order to fly beyond sea. He leaving his man in his bed to act his part with his keeper, got out of the Tower in disguise, and came to the place appointed. She, dressed like a young gallant, followed him from her house; but happening to stay beyond the limited time, he went away, leaving word, if she came, he was gone before to Dunkirk. She, full of tears, and lagging in her flight, was apprehended and sent to the Tower. After her death Sir William got leave to come home, and married afterwards the lady Frances, sister to the earl of Essex. Wilson, p. 702.

The

The earl of Somerſet's affair ending the diſpute between the two favorites, the court was reſtored to its former tranquillity, under the management of Villiers, who engroſſed the king's affection without a rival[u]. The new favorite behaved in much the ſame manner as his predeceſſor. He ſuffered himſelf at firſt to be guided by ſuch as he thought wiſer and more experienced than himſelf: but in time he thought himſelf the moſt able perſon in the kingdom. His firſt care was to diſmiſs by degrees the earl of Somerſet's creatures, and confer the places on his own relations and friends. Nothing more material was tranſacted at court for ſome years, except the two uſual affairs of this reign, wherein the promotion of the new favorite made no alteration. I mean the advancement of the prerogative royal, and the methods of raiſing money without the parliament. The firſt of theſe two points produced in the year 1616, between the king and the judges a ſharp conteſt, the occaſion whereof was this.

James I. 1616.

Villiers rules all at court. Weldon, p. 123.

The king deſigning to give in Commendam a vacant church[w], it was diſputed in the court of Common-Pleas, not only whether the king might give a Commendam to a biſhop, either before or after his conſecration, but alſo whether Commendams were to be granted without neceſſity. The chief juſtice of the Common-Pleas finding the caſe difficult to be decided, deſired to have it farther argued by all the judges, as is uſually done in nice points. The king, who was at Royſton, being informed of it, commanded his attorney-general Bacon, to ſignify by letters to all the judges, that they ſhould defer the determination of the affair till his return. Notwithſtanding this order, the judges met and argued the caſe. After which, they unanimouſly ſigned a writing, declaring they could not obey the king's order, becauſe they were ſworn to have no regard to the king's orders or letters, in matters concerning private perſons[x]. The king, provoked at their proceeding, writ them, that it was not his intent to ſtop the courſe of juſtice; but however he would not endure, that under colour of determining caſes between private perſons, they ſhould attack the prerogative royal, or "That any perſon ſhould be allowed to diſpute or argue on that head."

Diſpute between the king and the judges concerning the prerogative. Annals, p. 17. Camd. Ann.

Annals, p. 17.

[u] In the beginning of January he was made maſter of the horſe, and July 7, knight of the garter. The king beſtowed upon him the beſt part of Somerſet's eſtate. Howes, p. 1024, 1025. Coke, p. 88.

[w] Rapin by miſtake ſays, a vacant biſhopric. When a parſon or vicar is made a biſhop, there is a ceſſion of his benefice by the promotion: but if the king gives him power to retain his benefice, he is ſaid to hold it in Commendam.

[x] They told the king their oath was, "That in caſe any letters came to them "contrary to law, they are not to obey "them, but to proceed to juſtice." Annals, p. 17.

James I. 1616. That the argument drawn from their oath was impertinent, ſince the oath was enjoined by the kings his predeceſſors, only to prevent the importunities of ſuitors to the prince, and not to give the judges authority to determine in points of prerogative. He concluded with a peremptory command, not to proceed "till they had conſulted him."

It muſt be obſerved, that in this letter, the king ſuppoſed two or three principles, which neither the judges, nor the generality of the nation did admit. The firſt, that no perſon had a right to argue concerning the extent of his prerogative, ſince the judges of the realm, being conſidered as middle perſons between the king and people, were alone to decide, and commonly did decide the queſtions on this head. The ſecond principal was, that the oath taken by the judges at their admittance into their office, was enjoined by the kings his predeceſſors, to avoid the ſollicitations of ſuitors; whereas it was the common opinion that the power aſcribed to the judges to diſobey the king's letters, was given them by the whole nation repreſented in parliament[y]. The third principle was, that nothing ought to be decided[z] without conſulting him; that is to ſay, their determination was to be founded upon what he ſhould himſelf enjoin. People for the moſt part affirmed, the king would thereby eſtabliſh a new prerogative unheard of in England.

The council decides in favour of the king. Annals, p. 17.

The king being returned to London, ſent for all the judges to the council-table, and reprimanded them ſeverely. He told them, among other things, that ſince his acceſſion to the crown of England, he had obſerved that the counſellors at the bar[a] took the liberty to argue the extent of the prerogative-royal, which on that pretence was trampled upon, and it was the judges buſineſs to bridle that inſolence in their reſpective courts. Then ſpeaking of the order he had ſent them, he imperiouſly told them, there was no reaſon that could excuſe their non-compliance[b]. The king's manner of expreſſing himſelf terrified the judges, who choſe rather to give way than reſiſt him to his face. Coke alone conſtantly maintained, that the king's order being contrary to law, they

y The judges themſelves in their anſwer to the king's order by the attorney-general, built their non-compliance upon two acts of parliament, 25 Edward III. and 25 Henry VIII. Annals, p. 17.

z In matters of prerogative. See the king's letter, Annals, p. 17.

a And in the parliament-houſe. Annals, p. 17.

b He told them, deferring upon juſt and neceſſary cauſes, was not delaying of juſtice, and therefore his order was not againſt law, or their oath. But chief juſtice Coke affirmed, that his majeſty's ſtay was a delay of juſtice. Annals, p. 18.

were

were not to blame for refuſing to obey it. Whereupon the king ſaid with ſome emotion, whether they had done well or ill, he would not ſuffer his prerogative to be conteſted. In fine, the judges being withdrawn, the council unanimouſly determined the caſe in favour of the king [c]. James I. 1616.

The peoples murmurs.

This affair made great noiſe among the people. They who were already prejudiced againſt the king, ſaid, it was evident he intended to reign with an abſolute power: that not only he contemned the determinations of the judges, but would not ſo much as endure that his prerogative ſhould be argued, and pretended to be ſole judge of the extent of his own authority. But others admired his courage, in maintaining the prerogatives of the crown.

Coke is turned out. Wilſon. p. 704, 705. Coke, p. 91. Annals.

It was not long before Coke felt the effects of the king's wrath. The chief juſtice having brought a complaint in the Star-Chamber againſt the lord chancellor Elleſmere, concerning an order iſſued out of the court of chancery, and having loſt his cauſe [d], wherein he was accuſed, 1. Of having wrongfully attacked the lord chancellor [e]. 2. Of having, when attorney-general, concealed a ſtatute of twelve thouſand pounds due to the king from the lord-chancellor Hatton. 3. Of having ſaid in open court, that his majeſty was labouring to overthrow the common-law of England. 4. Of having behaved very inſolently to the king, in the caſe of Commendams. The lord treaſurer upbraided him likewiſe before the council, for ſuffering his coachman to drive him bare-headed, a privilege not granted even to the lord chancellor himſelf. As the king was diſpleaſed with him, this was ſufficient to turn him out of his place, which was given to Sir Henry Montague. Coke was extremely well verſed in the common laws of England, Howes.

[c] That the king's deſiring the judges to ſtop proceedings till they had conſulted him, was not againſt the judges oath, or the common-law. As to Commendams, it was agreed by the judges, not to draw the king's power into doubt. *Annals*, p. 18.

[d] Sir Edward Coke, having it ſeems, determined a cauſe at common-law, (in which the chief witneſs for the plaintiffs was made drunk by the defendants, and thereby rendered incapable of appearing) the plaintiffs thinking themſelves injured, brought the buſineſs into chancery: the defendants refuſed to obey the orders of that court; whereupon the lord chancellor for contempt committed them to priſon. They petitioned againſt him in the Star-chamber, the lord chief juſtice joining with them, and threatning the chancellor with a Præmunire. The chancellor applies to the king, who ſent to Sir Francis Bacon, Sir Henry Montague, &c. to ſearch for precedents of ſuch as complained in chancery, and were relieved according to equity, after judgment at common-law. They returned anſwer, That it had been the conſtant practice ever ſince Henry the Seventh's time, after judgment at common-law, and many times after execution. Upon which Coke was worſted, and brought upon his knees at the council-table. Wilſon, p. 704.

[e] This was the whole cauſe. The reſt of the articles were added to it in order to humble him. Wilſon, p. 705.

of

James I. 1616. of which he wrote a book highly esteemed, and which is daily cited in the courts of justice, and the high-court of parliament [f]. But as he was one of those who suspected the king of aspiring to arbitrary power, and thought it his duty to oppose it, he could not be agreeable to the court.

The lord chancellor delivers up the great-seal. Annals, p. 20.

Presently after, the lord chancellor Ellesmere being taken so ill as to despair of being able to continue the functions of his office, desired the king to confer it on another [g]. But the king, without granting his request, sent for the seal, telling him, he would himself be his deputy: and indeed, he kept the great-seal till Ellesmere's death, which was not till March the next year. After that, Sir Francis Bacon, attorney-general, was made lord keeper, and then chancellor. He was a man of great abilities, as appears in his works, but a servile flatterer, cringing to those who were in favour, and very haughty to such as he believed he should not want [h].

Bacon is made lord keeper. Wilson. Annals. Weldon, p. 130, &c.

Prince Charles the king's only son, was created this year [i] prince of Wales with the usual solemnities. The king thought of marrying him, but it was not easy to find a princess fit for him. There was no protestant princess of royal extraction in Europe, and his father could not resolve to marry him to any but a king's daughter. Several of his predecessors had not been so difficult: but for his part, he was extremely nice on this occasion. He would have thought it a disparagement to his son to marry the daughter of any German prince. He chose rather, contrary to all the rules of good policy, to seek him a wife in a house sworn enemy to the protestant religion, than to marry him to one of his own religion, who was not royally descended. This infatuation, if I may be allowed

Prince Charles created prince of Wales. Novem. 4. Act. Pub. xvi. p. 792. Howes, Wilson. p. 703.

The king thinks of marrying the prince of Wales to a French or Spanish princess. Wilson.

[f] He wrote Institutes, or A Comment on Littleton, several volumes of Reports, &c. He is accused of discovering too much passion and prejudice on the bench, and of acting the part of a pleader rather than a judge. His pleadings at the trial of Sir Walter Raleigh, show, to his eternal infamy, that he could at any time talk an innocent person to death; for there never was seen such a heap of insolence, and hard names. See State-Trials, vol. i. p. 205, &c. Wilson, p. 705.

[g] He was on November 7, this year, created viscount Brackley. As was also on the same day William Knowles, viscount Wallingford; and Sir Philip Stanhope, baron of Shelford. Howes, p. 1026. Weldon says, Villiers caused the seal to be taken from Egerton, because he would not give way to his exorbitant desires, p. 125.

[h] Weldon says, Villiers sent this message to Bacon when he was made lord-keeper: That he knew him to be a man of excellent parts, but withal of a base and ungrateful temper, and an arrant knave, apt in his prosperity to ruin any that had raised him from adversity; yet knowing how fit an instrument he was for him, he had obtained him the seals; but with this assurance, should he ever requite him as he had done some others, he would cast him down as much below scorn as he had now raised him above any honour he could ever have expected. p. 125, 126.

[i] The first of November. Others say, the fourth. Rapin.

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lowed the expreſſion, is to be conſidered as the ſource of the reſt of the occurrences of this reign, and of all the vexations James had to endure, as well from foreigners as his own ſubjects. It may be farther added, that this made him better known than before, and in a manner not to his advantage. He would have married his eldeſt ſon prince Henry to Anne of Auſtria, who afterwards eſpouſed Lewis XIII. king of France: but having at laſt diſcovered that the court of Spain carried on the negotiation only to amuſe him, he gave over his deſign. The French king's marriage being ſolemnized this year 1616, James ſent ambaſſadors to France and Spain to congratulate the two kings. The lord Hay, a Scotchman, was choſen for the French embaſſy [k], and the lord Roſs for the Spaniſh. They had both orders to ſound the two courts concerning the prince of Wales's marriage with the princeſs eldeſt ſiſter of Lewis XIII. or with the infanta Maria daughter of Philip III. The lord Hay quickly found his negotiation would be fruitleſs, ſince the princeſs of France was already promiſed to the prince of Piedmont ſon to the duke of Savoy.

James I. 1616.

Franklin's Annals. Wilſon.

Whilſt theſe things were in agitation, and before the lord Roſs's arrival in Spain, ſir John Digby, his majeſty's ambaſſador to Philip III. writ to the king, that the duke of Lerma had made an overture of a marriage between the infanta Maria and the prince of Wales, and deſired private inſtructions on that head. He adviſed him however not to break off the negotiation with France, for fear the duke of Lerma's offer ſhould be an artifice to render him ſuſpected to the proteſtants. James could the leſs doubt of Digby's ſuſpicion being well grounded, as ſir Dudley Carleton, his ambaſſador at the Hague, had told him, that to weaken the good intelligence between him and the States General, a report was ſpread that the prince of Wales's marriage with the infanta of Spain was on foot and now far advanced. But he took no notice of this intelligence: on the contrary, he ſent orders to ſir John Digby to begin the negotiation with Spain. At the ſame time don Diego di Sarmientos count Gondemar, the Spaniſh

He reſolves for the Spaniſh match. Annals, p. 36. Ruſhworth, tom. i. p. 1.

Annals, p. 19.

The Spaniſh match is treated of. Ruſhworth, tom. i. p. 2.

[k] This was one of the moſt magnificent embaſſies recorded in hiſtory. Among other things, the lord Hay, at his public entry into Paris, had his horſe ſhod with ſilver ſhoes ſlightly tacked on; and when he came over-againſt houſes or balconies, where perſons or beauties of eminency were, his horſe prancing in humble reverence, flung his ſhoes away, which the ſurrounding mob ſcrambled for; then one of his train, out of a velvet bag, took others, and tacked them on; which laſted till he came to the next troop of grandees. Wilſon, p. 704.

James I. ambaſſador in England, received a commiſſion to treat with
1616. the king concerning the marriage.

After James had taken this reſolution, he could not conceal his extreme deſire to accompliſh the marriage. Hence he gave occaſion to the Spaniard, who had then no deſign to treat ſeriouſly of the affair, to feign that he paſſionately wiſhed to conclude it to his ſatisfaction, and to draw from his readineſs conſiderable advantages for the houſe of Auſtria and the catholic religion. By means of this ſame deſire it was that count Gondemar, a man of great abilities, ſo inſinuated himſelf into the king's favour, that for many years he cauſed him to do do almoſt whatever he pleaſed, by putting him in fear that the marriage would miſcarry if the Spaniſh court was not managed. We may judge of the policy of that court by the length of this negotiation, which was made to laſt ſeven years. At firſt the Spaniard intended only to hinder king James from concerning himſelf in the war of Cleves, and aſſiſting the proteſtant princes: but afterwards a more important affair made it his intereſt more than ever to amuſe the king of England and to keep him at a bay.

James is amuſed by the court of Spain. Ruſhworth, tom. i.

Certainly James's conduct, who in ſome men's opinion paſſes for the Solomon of his age, was very extraordinary. Under colour of being at peace with all the world, he meddled not with any foreign affairs. He beheld without concern France openly labouring the deſtruction of the huguenots, and the houſe of Auſtria forming projects to enſlave all Europe and daily increaſing in power, to the juſt dread of the reſt of the ſtates, and eſpecially the proteſtant. Moreover, he expreſſed a ſtrong deſire to be allied to that houſe, by a marriage which could not but be prejudicial to the eſtabliſhed religion of England. In ſhort, if his management at home be examined, the capacity, the great wiſdom he thought himſelf bleſſed with, will no where appear. Without any war upon his hands he had conſumed immenſe ſums, and alienated almoſt all the crown-lands, to enrich a dozen of Engliſh and Scotch favourites, who had never done him any conſiderable ſervice. The earl of Somerſet had before his diſgrace amaſſed two hundred thouſand pounds in money, plate, and jewels, beſides nineteen thouſand pounds a year in land, though he had been but five years in favour [1]. The earl of Saliſbury, younger ſon to the lord Burleigh, who had no eſtate but what he derived from the crown, had left his ſon as rich as

The king's ſtrange conduct.

Coke, p. 85.

[1] Three hundred thouſand pounds came to the crown upon his fall, ſays Oſborn, § 30.

any

any peer in the kingdom. The earl of Northampton, younger brother of the late duke of Norfolk, had built a ſtately palace in London [m], ſince called Northumberland-houſe, and left a vaſt inheritance to his nephew the earl of Arundel, though he had little or nothing from his family. The earl of Suffolk, youngeſt ſon of the duke of Norfolk, had built a country-ſeat, which coſt him above two hundred thouſand pounds; and he did not, as may be judged, expend his whole ſubſtance on this ſtructure [n]. The duke of Lenox, the earl of Dunbar, the lord Hay, had remitted great ſums into Scotland; and ſir Henry Rich, afterwards earl of Holland, though a younger ſon, had found means to raiſe an immenſe eſtate. Amidſt all theſe favourites ſo rich and powerful, the king was in extreme want, continually giving more than he could afford, and running into needleſs expences without ever regulating his treaſury. To all this was added a new favourite, who being no leſs greedy than the reſt, was alſo to be enriched, and had a numerous kindred, whom he did not mean to leave in want [o]. Another effect of the king's great wiſdom was to quarrel with his parliament, in ſupport of a prerogative which he would have carried higher than any of his predeceſſors, and thereby put himſelf under a neceſſity of uſing means to raiſe money, which could not but alienate from him the love of his people. Laſtly, let us add his weakneſs in ſuffering himſelf always to be ſo governed by his favourites, that he could not or would not ſee but with their eyes. At the time I am now ſpeaking of, his cabinet council conſiſted ſolely of the new favourite, a young man without experience, through whoſe hands never any affair of moment had paſſed, and who notwithſtanding thought himſelf the moſt able man in the kingdom [p]. The earl of Suffolk was more verſed

James I. 1616.

Coke. Clarendon. Weldon.

[m] And alſo three hoſpitals; one at Riſing in Norfolk, for twelve poor women and a governeſs; a ſecond at Clun in Shropſhire, for the ſame number of men; the third at Greenwich in Kent, for a governor, and twenty poor almſmen. Howes, p. 1012.

[n] Audley-Inn in Eſſex, the nobleſt ſtructure next to Hampton-Court (ſays Coke) ever built by any ſubject in England, which by modern eſtimates coſt above 190,000l. Coke's Detect. p. 85.

[o] The lord Clarendon obſerves that Villiers exalted almoſt all of his own numerous family and dependents, whoſe greateſt merit was their alliance to him; which equally offended the ancient nobility, and the people of all conditions, who ſaw the flowers of the crown every day fading and withered; whilſt the demeſnes and revenues thereof were ſacrificed to the enriching of a private family ſcarce ever heard of before to the nation; and the expences of the court ſo vaſt and unlimited, that they had a ſad proſpect of that poverty and neceſſity, which afterwards befel the crown, almoſt to the ruin of it. Tom. i. p. 10.

[p] Gondemar is ſaid to tell king James in raillery, "That he was the "wiſeſt

James I. 1616. verſed in affairs, though he was never counted a great genius; but he was now upon the decline of his favour, Villiers being far from ſupporting the earl of Somerſet's father-in-law. Bacon, lord keeper, was well verſed in the laws of the land, and capable of giving good advice; but he made it his ſole ſtudy to adapt himſelf to the king's humour, and make his court to the favourite.

He gives up the cautionary towns for the third part of what is due to him. Coke, p. 88. Ruſhworth, tom. i. p. 3.

The only affair which then employed the king and his miniſters was to find money, and in plenty too, othewiſe the king would have led a ſad life: but all means ſeemed to have been exhauſted, and a parliament could not ſafely be called, the wound of the impriſoned members being ſtill too freſh to hope it was yet cloſed. Mean while, the treaty of the prince of Wales's marriage with the infanta procured the king an unexpected ſupply. Queen Elizabeth had ſettled with the ſtates of the United Provinces the arrears they owed her, amounting to eight millions of florins. This ſum was due to James, as Elizabeth's ſucceſſor. The ſtates would have paid the debt long ſince, had they not found their account in remaining debtors to England, becauſe they thereby engaged that kindom to ſupport them. But after the twelve years truce was concluded, the face of affairs was altered. The ſtates no longer wanted the king's protection; and beſides, he held in their provinces places which gave him opportunity to treat them with haughtineſs, as he had done in the affair of Vorſtius. It was therefore time for them to recover theſe places, ſince they had not the ſame intereſt now to leave them in the king's hands, when their dread of Spain was very much leſſened by the truce. But the ſum they were to pay was ſo conſiderable, that they waited a favourable opportunity to procure them ſome abatement. This opportunity offering not till the preſent year 1616, they embraced it the more eagerly, as they were under an urgent neceſſity to withdraw their towns from the Engliſh. The king treating of his ſon's marriage with the infanta, it was to be feared the reſtitution of theſe towns, to which the Spaniards laid claim, would be one of the articles of the marriage-treaty, eſpecially as a clauſe in the treaty of 1604, between England and Spain, gave them juſt cauſe to fear. On the other hand, the preſent juncture was favourable to them, becauſe the king's coffers were quite empty, and there was no likelihood of his venturing to call a parliament, by reaſon of the people's diſcon-

Ruſhworth, tom. i. p. 3.

" wiſeſt prince in Chriſtendom, to make " privy counſellors ſage at the age of " twenty-one, which his maſter the " king of Spain could not do till ſixty." Sir E. Peyton, p. 42.

tent,

tent. All the difficulty therefore was to order it ſo, that the offer of reſtoring the towns ſhould come from the king himſelf, becauſe in that caſe the ſtates might pretend inability to pay ſo large a ſum, and that would naturally lead to a negotiation for an abatement of the debt. So, to bring the king to this point, they ceaſed for a time to pay the garriſons of the places in poſſeſſion of the Engliſh, though till then they had punctually executed the treaty which obliged them to pay them. The garriſons complained, and the ſtates, without however refuſing payment, found ſeveral pretences to defer it. This delay conſtrained the Engliſh forces, who were without money, to apply to the king, who was not in condition to ſatisfy them. He complained to the ſtates, who anſwered with great moderation, inſiſting upon the ill-ſtate of their affairs by reaſon of their vaſt expence during the war. In a word, this affair did not end, and the Engliſh garriſons ſtill remained without pay. At laſt, Caron, the Dutch envoy in England, intimated as of himſelf, to ſome one of the miniſters, that he believed, if the king would offer to reſtore the towns in his poſſeſſion, the ſtates would do their utmoſt to diſcharge the whole debt, by borrowing money at a high intereſt. This intimation produced the deſired effect. The king having no money, and ſeeing a near proſpect of drawing from the ſtates a large ſum, which the courtiers had already devoured in their thoughts, readily determined to ſurrender the cautionary towns. Purſuant to this reſolution he writ to the ſtates, "That he knew them to be his good "friends and confederates, both in point of religion and po-"licy [q], therefore he apprehended not the leaſt fear of dif-"ference between them: in contemplation whereof, if they "would have their towns again, he would willingly ſur-"render them." Upon this letter, they ſent penſionary Barnevelt to the king, who ſo artfully managed the affair, that they were diſcharged for two millions ſeven hundred twenty-eight thouſand florins, in lieu of eight millions, which they had promiſed to pay to Elizabeth, beſides eighteen years intereſt. By this agreement the cautionary towns were delivered to the ſtates the 14th of June, 1616 [r]. Cabala. Act. Publ. tom. xvi. p. 783—787.

James I. 1616.

[q] Though, as Coke obſerves, the religion of the Dutch was preſbytery, which the king hated, nor did ever imitate their policy. Coke's Detect. vol. i. p. 91.

[r] Robert Sidney viſcount Liſle was governor of Ulſhing or Fluſhing, and ſir Horace Vere of the Briel. The commiſſion directed to them for the delivery of thoſe places bears date May 22. Rymer's Fœdera, tom. xvi. p. 784, etc. They and the reſt of the Engliſh officers in thoſe towns had 130000 l. diſtributed amongſt them in recompence for the loſs of their places. State of the revenue, p. 71.

James I. 1616.

They who were not pleaſed with the court, greatly cenſured this treaty, which robbed the crown of England of the advantage of holding the United Provinces in a ſort of ſubjection [s]. It was ſaid, that indeed Elizabeth was bound to reſign theſe places upon the payment of the ſums ſhe had advanced; but there was no neceſſity to reſtore them for much leſs: that there was the leſs occaſion to haſten the reſtitution, as the garriſons were not maintained by the crown; and if the ſtates neglected to perform their agreement with the queen, the king ſhould have made them ſenſible they had not done it with impunity. Theſe things were not for the king's honour, and his proceedings on this occaſion could at moſt but confirm to him the title of Pacific [t], which he affected above all others. But it was much worſe when it was ſeen, in a very ſhort ſpace, that the money paid by the ſtates was vaniſhed, without a poſſibility to gueſs what was become of it. The king had paid none of his debts: the navy was ſuffered to decay for want of money to repair it: and nothing had been ſent to his army in Ireland, which had received no money for ſeveral years, and whoſe wants had ſerved for pretence to treat with the ſtates.

Reflections to the king's diſadvantage

At length it was diſcovered, that the lord treaſurer Suffolk had converted to his own uſe good part of the money received for the cautionary towns. The favourite miſſed not this opportunity to ruin a man, whom he could not conſider as his friend, ſince he was father-in-law to the earl of Somerſet. The lord treaſurer was therefore accuſed in the ſtar-chamber of ſundry miſdemeanors in the exerciſe of his office, and eſpecially of having kept for himſelf great part of the money received of the Hollanders. Sir Edward Coke, who was reſtored to his place, or had another [u], was his accuſer. He aggravated his miſdemeanors, his extortions, his miſmanagement of the king's treaſures, his boldneſs to apply them to his own uſe, the corruptions of his counteſs, who took bribes with both hands, the artifices of his deputy Bingley [w], to enſnare ſuch as had buſineſs with his maſter. After that, he cited many precedents of treaſurers, who in former reigns

The lord treaſurer is accuſed of miſmanagement. Wilſon, p. 705. Annals, p. 22. Coke. Camden. Annal.

[s] The cautionary towns being Fluſhing, Rammekins, and the Briel, were deemed the keys to the three famous rivers, the Scheld, the Rhine, and the Maeſe. Coke, p. 89.

[t] Rex pacificus. He took for his motto, BEATI PACIFICI.

[u] The king was ſo far reconciled to him, as to call him to the council-board in September 1617. He had not his place again. Wilſon, p. 705. Camden's Annals.

[w] Sir John Bingley was one of the tellers of the exchequer. Sir Francis Bacon, in his ſpeech upon this occaſion, wittily obſerves, that the counteſs of Suffolk kept the ſhop, and ſir John Bingley, her officer, cried, What do you lack? Wilſon, p. 705.

had

had been punished for slighter crimes than those of the earl of Suffolk, and showed the dangerous consequences resulting from the ill administration of the treasurership, when it was not managed by uncorrupt persons. If the lord treasurer had cast himself upon the king's mercy, he would have been easily acquitted: but he strove to justify himself, and not doing it to the satisfaction of his judges, he was fined thirty thousand pounds, and condemned to imprisonment during the king's pleasure; and Bingley was fined two thousand pounds. Till the king should make choice of a treasurer, that office was executed by commissioners, the first of whom was sir Henry Montague, a dependant of the favourite. James I. 1616. He is fined 30,000 l. Annals, p. 22.

The earl of Suffolk was not the only sacrifice to Villiers's policy, who by degrees removed Somerset's creatures. Sir John Bennet, judge of the prerogative court, was turned out and fined twenty thousand pounds. Sir Henry Yelverton, the king's attorney, also lost his place, as well as several others whom it is needless to mention. Secretary Winwood dying about this time[x], sir Robert Naunton a protestant, and sir George Calvert a papist were made secretaries. Other changes at court. Wilson. Camden. Annal.

The tranquillity enjoyed by the king might have been deemed perfect, if the fear of his prerogative being attacked had not continually disturbed his repose. In vain did he preach and advance his principles upon all occasions, he had the misfortune to be regarded by none but his courtiers and immediate dependants. For this reason he durst not call a parliament, knowing the commons did not allow of his maxims. He seems to have thought it pure ignorance in the English, and that by a frequent repetition of the sovereign's prerogatives, he should at length succeed in convincing them of the truth of his principles. This he took occasion to do in June this year, in a solemn assembly held in the star-chamber, on pretence of making known his design to correct certain abuses crept into the courts of justice. He made a very long speech, full of divisions and subdivisions, according to his custom, and took for his text these words of Psalm lxxii. 1. "Give thy judgments to the king, O God, and thy "righteousness to the king's son[y]." The king is ever full of his prerogative.

He begins with saying, "The literal sense of these words "runs upon David and Solomon, godly and wise, the mysti- "cal upon God and Christ, just and righteous; and from "this imitation all governments, especially monarchies, "have been established. Kings sit in the throne of God, The king's speech in the star-chamber. Annals, p. 23. K. James's Works, p. 549.

[x] He died October 27, 1617. Camden's Annals.

[y] See the speech at length in King James's Works, p. 549.

James I. 1616. "and thence all judgment is derived, from the king to the "magiſtrates, not privative but cumulative. So by the "council of Jethro to Moſes, the judges were deputed for "eaſier queſtions, the more profound left to Moſes; and in "this manner all Chriſtian kings govern, whereby appears "the near conjunction between God and the king upward, "and the king and the judges downward; the king to ſettle "the law of God, and his judges to interpret the law of the "king."

Then he teaches the judges their duty in adminiſtring juſtice; and after dwelling upon many common places, he proceeds to the limits preſcribed them: "Incroach not upon the "prerogative; deal not in difficult queſtions, before you con"ſult with the king and council, for fear of wounding the "king through the ſides of a private perſon." Whereupon he takes occaſion to commend ſome of the judges for rebuking the popular humour of certain pleaders at the bar, who meddled with ſuch matters. "That which concerns (ſays he) "the myſtery of the king's power, is not lawful to be diſ"puted; for that is to wade into the weakneſſes of princes, "and to take away the myſtical reverence that belongs to "thoſe who ſit in the throne of God *."

After having run through and given his opinion concerning the ſeveral courts of judicature, he goes on, "It is the "duty of judges to puniſh ſuch as ſeek to deprave the king's "courts, and therefore it was an odious and inept ſpeech in "Weſtminſter-hall, to ſay that a Præmunire lay againſt the "court of chancery. I mean not that the chancery ſhould ex"ceed its limits, but the king only is to correct it, and none "elſe; and therefore I was greatly abuſed in that attempt; "and for that reaſon commanded that no man hereafter pre"ſume to ſue a Præmunire againſt that court."

He ſpeaks afterwards of the Star-Chamber, and ſays, "As "a ſtar is a glorious creature, next in place to the angels; "ſo this court is the moſt glorious of all courts, conſiſting "of privy-counſellors, judges, peers of the realm, and biſhops; "and conſequently the learning of both divine and human "law, the experience and practice of government, are con"joined together in the proceedings of this court. He added,

* He farther ſays, "The abſolute "prerogative of the crown is no ſub"ject for the tongue of a lawyer, nor "is lawful to be diſputed. It is "atheiſm and blaſphemy to diſpute "what God can do: good Chriſtians "content themſelves with his revealed "will. So it is preſumption and high "contempt in a ſubject to diſpute what "a king can do, or ſay that a king "cannot do this or that, but reſt in "that which is the king's revealed "will in his law." King James's Works, p. 557.

"I have

" I have laboured to gather articles, like an Index expurga- James I.
" torius of novelties crept into the law; look to Plowden's 1616.
" caſes, and if you find it not there, away with it."

Then he addreſſes himſelf to the auditory, and gives them advice with reſpect to the law-ſuits that were carrying on in the ſeveral courts. " He chiefly adviſes them in their pleas, " not to preſume to meddle with things againſt the king's pre- " rogative or honour: if they do, the judges will puniſh them; " and in caſe the judges do not, he muſt puniſh both them " and the judges. " Plead not, continues he, upon new pu- " ritannical ſtrains, that make all things popular, but keep you " within the antient limits of pleas."

In ſpeaking of recuſants, that is, thoſe who refuſed to be of the church of England he ſays, " There are three ſorts: " the firſt are they, who inforced by law come now and then " to church; theſe are formal to the law, but falſe to God [a]. " The ſecond ſort are they that have their conſcience miſled, " and therefore refuſe to come to church, but otherwiſe live " as peaceable ſubjects [b]. The third ſort are practiſing re- " cuſants, who force their ſervants and tenants to be of their " opinion; theſe are men of pride and preſumption [c]. He " adds, I can love the perſon of a papiſt ſo born and bred, " but an apoſtate papiſt I hate; ſuch deſerve ſevere puniſh- " ment [d]. I confeſs I am loth to hang a prieſt only for his " religion, and ſaying maſs; but if they refuſe the oath of " allegiance, I leave them to the law."

He concludes his long ſpeech with exhorting the judges to countenance the clergy againſt the papiſts and puritans; adding, God and the king will reward their zeal.

It is eaſy to obſerve, as well in this as in the king's other ſpeeches in public, and on ſundry other occaſions, three principal deſigns which he had ever in view. The firſt was, to eſtabliſh the prerogative royal according to his own principles. The ſecond, to intimate, that the papiſts were not to be moleſted, provided they lived peaceably, and took the oath of allegiance. The third was, to expreſs his hatred of the puritans, and to create the ſame averſion for them in the people. But it would be a great miſtake, to aſcribe this hatred to their refuſing to allow of the ſurplice, the croſs in baptiſm, kneeling at the communion. Theſe were not the Remark on this ſpeech.

[a] Theſe were the preſbyterians, of whom ſeveral made no ſcruple to be preſent at the ſervice of the church of England. Rapin.

[b] Theſe were papiſts, who were willing to ſwear allegiance. Rapin.

[c] Theſe were the zealous and furious papiſts. Rapin.

[d] There could be but few of theſe in the kingdom. Rapin.—Rapin, by miſtake, ſays, papiſts in general. See King James's Works, p. 567.

things

James I. 1616. things that rendered them odious in his ſight. He fancied their principles with reſpect to church-government, led them to be enemies to monarchy. For this reaſon, all arguments againſt the extent of the royal prerogative, ſeemed to him to be founded on puritannical principles.

Villiers is made earl of Buckingham. Howes.

On the 27th of Auguſt the king created Sir George Villiers baron of Whaddon and viſcount Villiers [e], and on the 1ſt of January following, he was made earl of Buckingham.

1617. Account of the archbiſhop of Spalato. Wilſon. p. 707. Howes. p. 1026.

In the beginning of the year 1617, arrived in England Marco Antonio de Dominis [f], archbiſhop of Spalato in Dalmatia, who was come to profeſs the proteſtant religion in the communion of the church of England. As he was a man advanced in years, and very corpulent, it was readily believed, no other motive but that of religion and conſcience could have induced him to undertake ſo long a voyage, and quit his archbiſhopric. He preached and writ againſt the Romiſh religion, and at length was preferred to the maſterſhip of the Savoy, and the deanery of Windſor. After ſome years ſtay in England, he ſuffered himſelf to be gained by count Gondemar the Spaniſh ambaſſador, with the hopes of a cardinal's cap, if he would go to Rome, and publicly abjure the proteſtant religion. This man, upon the brink of the grave, being ſeduced by Gondemar's promiſe, went to Rome, and abjured the religion he had embraced in England; after which, inſtead of being a cardinal, he was thrown into a dungeon in the Inquiſition, where he died, and notwithſtanding his abjuration, his body was publicly burnt [g].

The king is reſolved to compel the Scots to conform to the church of England. Spotiſwood. p. 529, &c. Annals, p. 25. Wilſon. Burnet.

I have ſeveral times mentioned the king's averſion to the puritans, whoſe government, which came very near the republican, was directly contrary to the principles he was la-

[e] Rapin, by miſtake, ſays, that he was created baron of Brandſpach, or rather Branſpeth, which was the title of Robert Carr earl of Somerſet.——George Villiers was created Auguſt 27, 1616, lord Whaddon, the great lordſhip of Whaddon in Buckinghamſhire (then in the crown by the attainder of the lord Grey of Wilton) being given him at the ſame time. A little after he was created viſcount Villiers, and on the 5th of January 1617, earl of Buckingham. Camden's Ann.—Alſo July 9, Sir John Hollis was created baron of Houghton, and Sir John Roper lord Tenham, of Tenham in Kent. Howes, p. 1025.—This year Alderſgate in London was rebuilt. Ibid.

[f] He came to London December 16, 1616. Howes, p. 1026.

[g] He returned to Rome in 1622, and died in 1625. It is ſaid, that it was by his means, and the meaſures he had concerted with father Paul before he left Italy, that archbiſhop Abbot got that father's manuſcript hiſtory of the council of Trent, tranſmitted in parcels into England. Bentivoglio ſpeaking of Padre Paolo, ſays of him, that he is ſuch another as Antonio de Dominis, who, when he was aſked by the inquiſition, which was the beſt religion to bring a man to heaven, anſwered, that of the church of England. Samſ. Spec. Europ.—De Dominis was the firſt who uſed the word Puritan to denote the Anti-arminians of the Engliſh church. Fuller, lib. x. p. 99.

bouring

bouring to eſtabliſh. Ever ſince his coming to England, he had kept the puritans ſo low, that it was not in their power to give him any diſturbance. But the church of Scotland was ſtill preſbyterian, to his great mortification. Indeed epiſcopacy was not entirely ſuppreſſed in that kingdom; but it was in ſuch a ſtate, that the biſhops had no manner of juriſdiction. The ſeveral preſbyteries and the general-aſſembly of the clergy, had engroſſed the whole eccleſiaſtical authority, and left the biſhops only an empty name without power. There were alſo many other points wherein the Scottiſh church differed from the Engliſh, ſo that puritaniſm triumphed in Scotland, at the time it was looked upon in England as a ſort of rebellion. James had therefore reſolved to put the church of Scotland upon the ſame foot with that of England; but perceiving, that to compel the Scots all at once to a perfect conformity with the Engliſh church, would be too difficult an undertaking, he meant to lead them to it by degrees. Purſuant to that ſcheme, he had now ſent to the general-aſſembly of the kirk certain articles, which he deſired might be inſerted in the canons of the church. The articles were: James I. 1617. Spotiſwood. Annals.

1. For the future, the holy communion ſhould be received kneeling.

2. The euchariſt ſhould not be denied to the ſick, with three or four perſons to communicate with them.

3. Chriſtmas, Eaſter, Aſcenſion-day, and Whit-Sunday, ſhould be kept as holy-days, and the preachers ſhould make choice of texts ſuitable to the occaſion.

4. Confirmation ſhould be practiſed after this manner; when the children were eight years old, the miniſters ſhould catechize them, and then the biſhops in their viſitations ſhould bleſs them with prayer for God's grace, and the gifts of the holy ghoſt [h].

As to this laſt article, the king did not deſire that confirmation ſhould be received in Scotland, as practiſed in the church of England, becauſe he was not fully convinced of its uſefulneſs. But as confirmation was one of the epiſcopal functions, he would that the biſhops ſhould have ſomething at leaſt to do in it.

The king's deſign being to compaſs his ends by degrees, he had ſelected theſe articles as leaſt liable to give offence to the miniſters, in order to leave them without excuſe in caſe He meets with oppoſition. Spotiſwood.

[h] There were five articles in all, the other, which is placed third, was the ſacrament of baptiſm not to be deferred longer than the next Sunday; and in caſe of neceſſity, to be adminiſtred in a private houſe, with public declaration of the ſame, the Sunday after, in the church.

they

James I. 1617. they rejected them. The general aſſembly of the Scottiſh church, perceiving the king's aim, declared, if the churches of England and Scotland differed only in theſe four articles, they might be received for peace-ſake; but as they were innovations not capable of producing a perfect union, there was no neceſſity of inſerting them among the canons. The king, offended with this refuſal, reſolved to compel the Scots not only to receive theſe four articles, but alſo many more which he had not thought fit to meddle with at firſt, being perſuaded he had a right, by virtue of his royal authority, to impoſe upon his people of Scotland the religion which to him ſeemed the beſt. To that purpoſe, he reſolved to go in perſon to Scotland, under colour of viſiting his native country, where he had not been theſe fourteen years.

He takes a journey into Scotland. Spotiſwood. Annals, p. 27, 28.

Before his departure, he ordered a proclamation to be publiſhed in Scotland, wherein he ſaid, he was going to viſit his old kingdom, "Not to alter the civil and eccleſiaſtical ſtate, "but to reform certain abuſes in the church and common-"wealth." At the ſame time, he ſent beforehand ſome officers of his houſhold, all Engliſh, with orders to adorn his chapel at Edinburgh in the ſame manner as that at Whitehall; and theſe men forgot not to carry with them ſome pictures and even ſtatues of the apoſtles[i]. As ſoon as they began to adorn the chapel, the people of Edinburgh exclaimed at the ſight, ſaying, "Images were begun to be introduced, "and the maſs would quickly follow."

He treats the Scots with haughtineſs. May. Spotiſwood. p. 530. Annals.

The king being come to Berwick, prorogued the parliament of Scotland[k] to open it himſelf, as he did indeed with a long ſpeech, according to cuſtom. To conceal his real deſign, he propoſed ſeveral things, among which he did not forget the article concerning religion, the only point he was ſeriouſly labouring. He contented himſelf at firſt with requiring, that a certain number of commiſſioners ſhould be appointed to examine and ſettle the affairs of religion. The parliament conſenting to his demand, the king ſtaid not for the parliament's nominating the commiſſioners, but choſe them himſelf, and appointed the lord chancellor, the lord treaſurer,

[i] They carried with them the portraits of the apoſtles to be ſet in the pews or ſtalls. The biſhop of Galloway, dean of the chapel, obſerving the offence this cauſed, writ to the king, entreating him, "for the offence that "was taken, to ſtay the affixing of "thoſe portraits." His letter was ſubſcribed by the archbiſhop of St. Andrews, the biſhops of Aberdeen and Brechyn, and ſeveral miniſters of Edinburgh. To this the king returned an angry anſwer; objecting ignorance unto them, that could not diſtinguiſh betwixt pictures intended for ornament and decoration, and images erected for adoration. Spotiſwood, p. 530.

[k] From May 17, to June 13. Ibid.

and

and the clerk of the rolls, who were all three his creatures. But as the parliament ſcrupled to ſtand to this nomination, he fell into a violent paſſion, thinking it very ſtrange they ſhould pretend to name others, after he had made known his pleaſure. In ſhort, as they durſt not reſiſt him to his face, he obtained whatever he pleaſed. James I. 1617.

Theſe commiſſioners immediately ſettled an article, after which there was nothing more to be examined. The article was, "That whatſoever his majeſty ſhould determine in the "external government of the church, with the advice of the "archbiſhops, biſhops, and a competent number of the mi- "niſtery, ſhould have the ſtrength of a law." The king himſelf had dictated this article, "Not (ſaid he) that I am "againſt the advice of the grave and learned miniſters, but "to be over-ruled as in your former general aſſemblies, I "will never agree; the biſhops muſt rule the miniſters, and "the king govern both in matters not repugnant to God's "law." Thus the king plainly ſhowed, that ſince his acceſſion to England, he claimed in Scotland a greater authority than before. He gets an article paſſed which gives him full power. Spotiſwood.

Mean while, the miniſters in and about Edinburgh, perceiving that by the prevarication of the commiſſioners, their church was going to be overthrown, ſince the king was impowered to make what alterations he pleaſed, met together to conſult how to prevent it. They found no other remedy than a proteſtation againſt the article paſſed by the commiſſioners, and when they had drawn it, they committed it to one Hewet, to preſent it to the king. Hewet being come into his majeſty's anti-chamber, in order to execute his commiſſion, the archbiſhop of St. Andrew's civilly accoſted him, deſiring to ſee the proteſtation; which the miniſter readily ſhowed him. As ſoon as he had it in his hands, he would have put it in his pocket, but Hewet ſeized the paper, which could not be done without making ſome noiſe. Upon which the king coming out and hearing the occaſion of the buſtle, ſpoke ſo roughly to the miniſter, that the poor man, all in a fright, fell on his knees and begged pardon, proteſting never more to meddle in the affair [1]. Proteſtation againſt this article. Spotiſwood. p. 531.

But though the king had obtained what he wanted of the commiſſioners, he found however he ſhould never attain his ends without the conſent of the miniſters, eſpecially as their He ſummons the miniſters, and makes a harſh ſpeech to them. Spotiſwood. p. 533. Annals.

[1] Spotiſwood, archbiſhop of St. Andrews, ſays, that this proteſtation was tumultuouſly formed, and that the next morning, the chief perſons by whom it was ſubſcribed, came and entreated him to ſtop the preſenting thereof, which he ſhowed he might eaſily do, by taking it from Peter Hewet, p. 532.

pro-

James I. 1617. proteſtation was public, and many copies, which continually increaſed, were already diſperſed. He addreſſed therefore to the biſhops, an order to ſummon the miniſters to meet on the 10th of July, at St. Andrews, where he would come and ſpeak to them in perſon. The miniſters obeying the ſummons, the king called them all to witneſs his great care of the church of Scotland as well before as ſince his acceſſion to the crown; adding, he expected however no thanks for his zeal for the true worſhip of God, and for maintaining good order in the church. Then he told them, that before he departed for Scotland, he had ſent them four articles to be inſerted in their canons, which were rejected, and yet he was ſilent: that having lately deſired, it might be declared, that by virtue of his prerogative, he had power to make eccleſiaſtical laws, they mutinied and proteſted againſt him: however, he was very willing to paſs by all theſe, with many other affronts, received at their hands. "But now, continued he, the er-
"rand for which I have called you, is to know your rea-
"ſons, why this ſame power ought not to be admitted? I
"mean not to do any thing againſt reaſon; and on the other
"part, my demands being juſt and religious, you muſt not
"think that I will be refuſed, or reſiſted." He ſpoke theſe laſt words knitting his brows, and looking at them, ſays the author of the Annals, with a majeſtical and ſtern eye, which made them all fall down on their knees. Then continuing his ſpeech, he ſaid, "It is a power innate, and a ſpecial pre-
"rogative which we that are chriſtian kings have, to order
"and diſpoſe of external things in the policy of the church,
"as we by advice of our biſhops ſhall find moſt fitting. And,
"Sirs, for your approving or diſapproving, deceive not your-
"ſelves, I will never regard it, unleſs you bring me a reaſon
"which I cannot anſwer."

Spotiſwood. p. 29.

They demand an aſſembly-general. Spotiſwood. Annals.

The miniſters ſeeing how peremptory the king was, deſired leave to confer among themſelves. Their requeſt being granted, they returned in a few hours, with a petition for a general aſſembly, that what his majeſty propoſed might be received with common conſent. "Ay, ſays the king, but
"what aſſurance have I of their conſenting?" Whereupon ſome of them ſaid, they ſaw no reaſon to the contrary.
"But, ſays the king, if the general aſſembly be of another
"mind, and your reaſon now be none of theirs then, and the
"articles are rejected, my difficulty will be the greater; for
"when I ſhall hereafter uſe my own authority in eſtabliſhing
"them, I ſhall be pulpited a tyrant and perſecutor; ye were
"wont to do ſo." Then all cried out, that none durſt be

ſo

ſo mad. "Yet experience tells (ſays the king) that it hath "been ſo; therefore unleſs I be made ſure, I will not give "way to an aſſembly." James I. 1617.

It was, however, eaſy to perceive, that without an aſſembly, the king could not poſſibly compaſs his ends. Though he ſhould have extorted the conſent of the miniſters then preſent, it would have been to no purpoſe, ſince they were not authorized. And if the king had cauſed theſe articles to be paſſed by an order flowing from his abſolute power, he ſhould have been firſt ſecure of the obedience of his ſubjects, or at leaſt of a ſufficient power to compel them, both which were equally difficult, not to ſay impracticable. So the king having conſidered the thing more maturely, agreed at length, that a general aſſembly ſhould be held at St. Andrews in November. In this interval, Sympſon the miniſter, who drew up and ſigned the proteſtation, was committed to Edinburgh-caſtle, and Catherwood, who carried letters to other miniſters to encourage them to adhere to it, was baniſhed. After this the king returns to England.

The king refuſes it. He grants it afterwards. Spoitſwood. Annals.

The general aſſembly, held at St. Andrews in November, reſolved to defer the reception of the four articles, till all the churches of the kingdom were informed of the affair, and then ſeparated. The king was extremely incenſed, and looking upon this delay as a contempt of his authority, ordered the payment of the miniſters ſtipends to be ſtopped for a year [m]. But finding this only exaſperated people, and retarded his deſign, he gave leave at length that another general aſſembly ſhould be held at Perth, on Auguſt the 25th the next year. And there, by fair or foul means, he obtained the churches conſent to the four articles. But withal, he ſowed in Scotland the ſeeds of thoſe troubles, which diſtracted the kingdom in the following reign, and deprived his ſon and ſucceſſor both of crown and life. Thus, his zeal againſt the puritans cauſed him to forſake the principles of equity and moderation, which he thought ſo reaſonable in the caſe of the catholics. He would not force the conſcience of theſe, provided they lived like good ſubjects; but the preſbyterians were to ſubmit, though ever ſo unwilling, to what he ſhould think proper. What has been ſaid upon this ſubject, is taken almoſt word for word out of the Annals, the author whereof cannot be ſuſpected of repreſenting things to the king's diſadvantage.

He is not ſatisfied with the aſſembly. Spoitſwood. P. 534, &c.

He grants another, wherein he obtains his deſire. Ib. p. 537, &c. Annals.

[m] And commanded the biſhops of St. Andrews and Glaſgow, in their own perſons to keep Chriſtmas-day next, preaching upon texts proper for the time. Annals, p. 29. Spotiſwood, p. 535, &c. The king's letters injoining this, are dated at New-market, December 6, and 11.

Before

James I. 1617.

Before he left Scotland, the king made the earl of Buckingham privy counſellor of that kingdom, as he had been ſo for ſome time in England.

Buckingham is made privy counſellor of Scotland.

Whilſt the king was returning to London, he received a petition from ſome ſervants, labourers, mechanics, and other vulgar perſons, complaining, that they were debarred from dancing, playing, church-ales, in a word, from all recreations on Sundays after divine ſervice. Whereupon it was ſuggeſted to the king, that the puritans meant to perſuade the people, ſuch diverſions were contrary to the regard due to the Lord's day. That theſe men went upon erroneous principles, namely, that chriſtians were obliged to keep the day of reſt with the ſame ſtrictneſs as the Jews, and therefore affected to call Sunday the ſabbath. This was a ſufficient inducement to the king to condemn this puritannical ſcruple, and the rather, as he was not himſelf very ſcrupulous in that point. A book therefore was publiſhed in his name, wherein he maintained by ſeveral arguments, that paſtimes on Sundays, after evening ſervice, were allowable, and withal, commanded that none ſhould be hindered or diſcouraged from any lawful recreations. The book [n] made a great noiſe, neither was it exclaimed againſt by the preſbyterians alone [o]. Many churchmen diſapproved of it, and particularly the lord-mayor of London, who, notwithſtanding the prohibition, commanded the king's own carriages to be ſtopped, as they were paſſing through the city on a Sunday [p]. But the king himſelf, regardleſs of theſe murmurs, and willing to ſupport what he had done, enjoined all miniſters to read his book publicly in their churches; and thoſe that refuſed were ſeverly puniſhed by the high commiſſion. Some pretend this order was a ſnare to ſurprize certain miniſters, who though puritans, ſcrupled not to be of the church of England, and preach their doctrines there [q].

A petition preſented to the king concerning recreations on Sundays. Wilſon, p. 709. Annals, p. 31. Camd. Ann.

The king publiſhes the book of ſports. It makes a great noiſe.

He orders it to be read in all churches. Wilſon, p. 709.

[n] It was called the Book of Sports. No recuſant was to have the benefit of this liberty. Collier, tom. ii. p. 712.

[o] There were ſeveral biſhops that declared their opinions againſt the Book of Sports.

[p] The court was to remove next day to Theobalds. It put the king into a great rage, "Swearing he thought "there had been no more kings in "England but himſelf." Cooling a little, he ſent a warrant to the lord-mayor, ordering him to let them paſs, which he obeyed with this anſwer, "While it was in my power I did "my duty, but that being taken "away, it is my duty to obey." The king upon ſecond thoughts took this well, and thanked him for it. Wilſon, p. 709.

[q] Archbiſhop Abbot being at Croydon the day it was ordered to be read in churches, flatly forbid it to be read there; which king James winked at, notwithſtanding the daily endeavours that were uſed to irritate the king againſt him. Welwood's notes on Wilſon.

These were the most material affairs then in England. The king, as I said, never concerning himself in any foreign matters, left the government of the kingdom to the care of his ministers. The earl of Buckingham was the head manager. He ruled with an absolute sway both in church and state, disposing of all places and preferments. If we may believe certain authors, he bestowed nothing without money or a yearly pension [r]. As the king was always in want, the favourite was obliged to find means to maintain, and even enrich his numerous kindred, who flocked to court to partake of his greatness. Not to return to these matters, I shall say here at once, that the favourite's elder brother was made viscount Purbeck; his younger brother, earl of Anglesey; his mother, though a papist, was created countess of Buckingham, without her husband enjoying the same honour. In a word, all his female relations were married into the richest and most noble families of the kingdom. The favourite's mother being a papist, and ruling her son, who was properly of no religion, with the same ease as he himself governed the king, it was not very strange, the papists conceived great hopes, and swarmed in the kingdom. The king gave himself little trouble about it. Provided a man took the oath of allegiance, and was not puritan, every thing else was indifferent to him. He was almost wholly employed in his diversions, and as he very frequently hunted, his admirers pretended he took those times to consider of the affairs of the government [s].

James I. 1617.

Buckingham rules all. Wilson. Weldon, p. 129.

Ibid. p. 135. Dugdale.

The papists swarm in England.

Annals, p. 31.

I shall close the events of this year 1617, with the sad catastrophe of Sir Walter Raleigh. He had been a prisoner twelve years [t], ever since his condemnation, during which time, he had employed himself in compiling his History of the World. At last, he obtained his liberty, though without the king's pardon [u]. As his estate was all forfeited, and

Account of Sir Walter Raleigh's death. Wilson. p. 712. Annals, p. 31. Coke, p. 93, &c.

[r] Chancellor Bacon paid a pension, attorney-general Heath paid a pension, dean Bargrave paid a pension, Fotherby bishop of Sarum paid 3500l. with many others. Nor were fines or pensions certain; but where men were rich, there fines without reservation of rent; where poor, there pensions, no fines. There were books of rates, pensions, and fines, on all offices, bishopricks, and deaneries in England. Weldon, p. 130.

[s] Much of his most serious affairs (says the author of the Annals) were shadowed from the vulgar, nay, from the observing politician, by his public pastimes, p. 31.

[t] Prince Henry used to say, That no other king but his father would keep such a bird as Sir Walter Raleigh in a cage, i. e. the Tower. Coke, p. 66.

[u] He was released in 1615. Some say, that after the publication of his history, he petitioned the king, whose love to learning induced him now at last to grant Sir Walter his liberty. Annals, p. 31.

James I. 1617. given to the earl of Somerſet, he was very much embarraſſed when he came out of priſon. The court, where he was entirely unknown, was like a ſtrange country to him. For this reaſon, he formed the project of ſeeking his fortune in diſtant climates. He had formerly traverſed the ſeas of America, and knew all the coaſts, particularly that of Guiana. Nay, it is ſaid, he ſet up marks to direct him again to a certain place, where was a gold mine, and that Keymis his old attendant [w], brought him from thence a piece of ore, which made him think the mine very rich. However, as he knew not where to lay his head, he found means to acquaint the king, that he knew of a very rich mine in America, from whence he hoped to bring mountains of gold, if his majeſty would be pleaſed to grant him a private commiſſion. The mine lying in a country belonging to the Spaniard, it could not be ſeized without breaking the peace with Spain. Nevertheleſs, the king, tempted no doubt with the golden hopes inſpired by Raleigh, granted him a commiſſion, directed to "Our beloved and faithful Walter Raleigh, Knight, &c. [x]" It was ſaid afterwards, the king granted the commiſſion with this limitation, that he ſhould not injure the ſubjects of Spain. But how was it poſſible to bring away gold from a mine belonging to the Spaniards, without doing them damage?

Act. Pub. xvi. p. 789. Auguſt 26.

However, Raleigh, by virtue of his commiſſion, engaged ſeveral perſons in the project [y]. He was ſupplied with money to fit out twelve ſail [z], and departed in Auguſt 1617 [a], in ſearch of the mine. At his arrival upon the coaſt of Guiana, he found not the marks he had left there, neither could he know again the place he thought he had ſo well obſerved.

Annals, p. 21. Howes.

[w] Captain Keymis, maſter of arts of Baliol college, Oxford, had been his companion in the Guiana voyage, in the year 1595. Rapin by miſtake calls him his footman.

[x] Dilecto & fideli. Coke, p. 94.—There is in Rymer's Fœdera, a commiſſion for him, directed only to Sir Walter Raleigh, knight, without any other addition of beloved or faithful. In that commiſſion he hath authority and licence to go into the ſouth parts of America, or elſewhere, within "America, poſſeſſed and inhabited by "heathen and ſavage people, to the "ende to diſcover and finde out ſome "commodities and merchandizes in "in thoſe countries that be neceſſary "and profitable for the ſubjects of "theis kingdomes and dominions, "whereof the inhabitants there make "little or no uſe or eſtimation; where-"upon alſoe may enſue ſome propa-"gation of the chriſtian faithe, and "reformed religion," &c." But not a word of the Spaniards. In this commiſſion, Sir Walter is ſaid to ſtand in the perill of the lawe. See tom. xvi. p. 793.

[y] As Sir John Pennington, Sir Warham St. Leger, Sir John Fern, captain Parker, captain North, captain Chudleigh of Devonſhire, major Pigot, captain Thornhurſt. Wilſon, p. 712.

[z] Two of his ſhips deſerted before he reached Guiana. Ibid.

[a] Camden ſays, he departed from London, March 28, 1617. Ann.

He detached however his ſon, and captain Keymis, with five ſhips [b], to ſail up the river Oronoque as high as poſſible, in order to diſcover the mountain where the ſuppoſed mine lay. The mountain not appearing, the Engliſh landed, and putting the Spaniards to flight who oppoſed their deſcent, purſued them to the town of St. Thomas, which they took and plundered. Sir Walter Raleigh's ſon was killed in the aſſault. Then leaving a garriſon in the place, they advanced farther into the country, without being able to find the ſo much deſired mine. At laſt, weary with ſearching, they returned to Sir Walter, who finding himſelf diſappointed of his hopes, threatned Keymis with the king's indignation, and ſome days after, Keymis was found dead in his cabin [c]. The ſailors, vexed at this ill ſucceſs, loudly complained of their being drawn into a chimerical project, and compelled Sir Walter to ſail back for England. When they arrived at Kingſale in Ireland, he would have perſuaded them to go with him into France; but inſtead of liſtening to his propoſal, they carried him againſt his will to Plymouth, where he was arreſted by the king's orders, and conveyed to the Tower of London. James I. 1617. Wilſon. Act. Pub. xvii. p. 92.

During his abſence, Don Diego de Sarmiento, count of Gondemar, the Spaniſh ambaſſador in England, making great complaints about Sir Walter's commiſſion, which was become public [d], the king found no better way to appeaſe him, than by diſowning it, or at leaſt by aſſuring, that Raleigh had expreſs orders not to act againſt the Spaniards [e]. Raleigh returning without gold, his cauſe was ſo much the worſe. Beſides, the ambaſſador openly inſiſted upon his being puniſhed, and told the king, there was no other way to continue the treaty of the prince of Wales's marriage with the Wilſon.

[b] And five companies of foot, commanded by his ſon, and the captains in the note above. Sir Walter himſelf was ſick, and ſo weak, as to be carried in a chair. Wilſon, p. 712.

[c] He firſt ſhot himſelf, but that not doing his buſineſs, he thruſt a knife into his body, up to the haft, and expired. Wilſon, p. 713.

[d] Sir Walter gave king James a plan of his deſign, together with the number of his men, burden of his ſhips, the country and river he was to enter, &c. which the king promiſed to keep ſecret; but it was ſent by Gondemar to Spain, and thence to the Indies, before Raleigh went out of the Thames; and that very original paper was found in the Spaniſh governor's cloſet at St. Thomas's. State-Trials, vol. i. p. 219. Welwood, p. 23.

[e] So it is ſaid in the warrant for apprehending Sir Walter, "We did, ſays "the king, by expreſs limitation and "caution reſtrayne and forbid them, "from attemptinge any acte of hoſ"tillity, wronge, or violence whatſo"ever upon any of the territories, "ſtates, or ſubjectes of any forayne "princes with whome we are in amity, "and more peculiarly of thoſe of our "deare brother the king of Spayne, "in reſpect of his domynions and in"tereſtes in that continent, &c." Rymer's Fœd. tom. xvii. p. 92.

James I. 1617.

infanta. Wherefore the king reſolved at length to ſacrifice Raleigh to the Spaniard. But as he could not be tried upon his late expedition, for which he had a commiſſion in form, it was determined he ſhould loſe his head, by virtue of the ſentence paſſed upon him fourteen years before. In vain did he plead that his commiſſion, wherein the king ſtiled him faithful ſervant, and gave him power of life and death over thoſe who were under his command, was equivalent to a pardon. The judges told him, "That treaſon could not be "pardoned but by expreſs words." So, without being called to an account for his late expedition, it was ordered that the former ſentence ſhould be executed [f].

October 28. Act. Pub. xvi. p. 791. Welwood.

Oſborn. Sect. 7. Burnet, p. 16. Ruſhworth. t. i. p. 9.

Thus died Sir Walter Raleigh, in the ſeventy-ſeventh year of his age. He was a man that deſerved a better fate, and had a large ſhare of merit. He had alſo ſome faults, which are leſſened or aggravated, in order to render his execution more or leſs odious, according as the hiſtorians are for or againſt king James. Moſt certain it is, he fell a ſacrifice to the mortal hatred conceived by the Spaniards againſt him in queen Elizabeth's time, and to the king's unhappy deſire to accompliſh the prince his ſon's marriage with the infanta of Spain [g].

1618. The people complain of the king and the adminiſtration

Since James had been on the throne, the Engliſh had lived in peace with all their neighbours, without being diſturbed by any war. The king and his miniſters pretended, this was the chief point of government, and that nothing more plainly diſcovered the capacity of thoſe that ruled, than to cauſe the ſubjects to live in peace. Mean while, the people were not ſatisfied. Many affirmed, this maxim was falſe when carried too far, and that war often happens to be no leſs neceſſary than peace, for the welfare of a nation. It was diſliked, that the king ſhould let the Hollanders fiſh upon the Engliſh coaſt, without aſking leave of him, or the governor of Scarborough, as was cuſtomary, before they had recovered their cautionary towns. It was thought no leſs ſtrange that they ſhould be ſuffered to come upon the coaſt with a fleet to ſupport their fiſhermen, as if they meant to

Coke, p. 98. Addreſs to the freemen Pref.

[f] He was not beheaded till October 29, 1618. Rapin.——It was done in the Old Palace-yard at Weſtminſter. Wilſon, p. 714.

[g] Weldon obſerves, That he was executed without all precedent, without any juſt cauſe, and even againſt king James's will; who in many things was over-awed by his timorous diſpoſition. But the Spaniſh faction, and Spaniſh gold betrayed his life, as they had done the kingdom before; and it was one of Gondemar's greateſt maſterpieces to purchaſe Raleigh's head; yet, had not the earl of Briſtol, who was poſſeſſed of Sherborn caſtle, formerly Sir Walter's, co-operated, the king would never have conſented, p. 28, 29. ——This year, on May 7, died the learned Jacobus Auguſtus Thuanus, called otherwiſe Le Preſident de Thou. Camden's Ann.

bully

bully the king, and ſhow they would fiſh on his coaſt in ſpite of him; and it was openly ſaid, to preſerve peace by bearing ſuch affronts, was no great ſign of ability. It was alſo complained, that the king deſerted the cauſe of the proteſtant religion, at a time when France, the emperor, the king of Spain, and the pope, were uſing their utmoſt endeavours to deſtroy it, and had but too much hopes of ſucceeding, ſince the defender of the faith remained unconcerned. The king's extreme jealouſy with reſpect to his prerogative, was another and great occaſion of diſcontent. It did not appear wherein this prerogative had been infringed; but it was thought very manifeſt, he intended to ſtretch it farther than any of his predeceſſors. It was conſidered, he had impriſoned ſeveral members of parliament, ſolely for inſiſting in the houſe upon the people's grievances; had granted divers monopolies; and raiſed money upon the ſubject without conſent of parliament: That his ſpeeches to the houſes, to the judges, and in the ſtar-chamber, tended only to exalt the regal authority, and make it, as it were, equal to God's; from whence it was inferred, that he deſigned to deſtroy the conſtitution. People could not behold, without indignation, a young man of twenty-five imperiouſly governing the whole kingdom, diſpoſing of all preferments in favour of his relations and friends, inveſted with the office of lord high-admiral, though he had never been at ſea, except from Dover to Calais; and laſtly, honoured with the title of marquiſs of Buckingham, without having ever done the ſtate any ſervice during the two years he had been at court. Theſe two dignities were lately beſtowed on the favourite, the firſt, by the earl of Nottingham's reſignation, who had amaſſed great ſums, and got a penſion for the reſidue of his life. But there were ſtill farther complaints. It was ſaid, the court gave a very ill example to the whole kingdom: Nothing was heard there but blaſphemy and oaths, and the king himſelf was not free from that vice: that one of the two ſecretaries of ſtate was a papiſt, as well as the favourite's mother; that though it was not known what religion her ſon was of, his debaucheries were public, and gave univerſal offence; the number of papiſts daily increaſed; the prince's marriage with a papiſt, daughter to the mortal enemy of the proteſtant religion, ſhowed how little the king regarded the concerns of religion; that if any one repreſented to the king or the miniſters, the inconveniencies ariſing from ſuch a marriage, he was ſilenced by being told, it was an attempt upon the prerogative royal, and that every man, who

James I. 1618.

The people complain alſo of the favourite. Wilſon. Coke, p. 97. Act. Pub. xvii. p. 124. January 1, 1618.

James I. 1618. without a call, pried into the ſecrets of the government, was guilty of rebellion.

But on the other hand, the king was no leſs offended with this boldneſs in cenſuring his conduct, as if a king was to be guided by the caprice of his ſubjects. What moſt troubled him was, that the puritans were not the only perſons who dared to complain of the government, but that even the greateſt friends to the eccleſiaſtical hierarchy could not bear an arbitrary power in the ſtate. The parliament itſelf had plainly ſhowed him, how far they were from ſubmitting to any laws but thoſe which had been hitherto in uſe.

The king is not ſatisfied with the people. Coke.

Thus the king and the people were equally diſſatisfied. It is true, the king ſeemed to have a great advantage, as there not being a parliament, no man had a right openly to arraign his conduct; but then, money did not flow into the exchequer ſo plentifully as under the kings his predeceſſors, who knew how to manage the parliament. He choſe however to be without any, or to procure it by ſuch means as increaſed the people's diſcontent, rather than run the hazard of ſeeing the parliament queſtion his prerogative, of which he was ſtrangely jealous. He comforted himſelf with the hopes of ſpeedily concluding his ſon's marriage, by which he was to receive a dowry of two millions. It is certain the court of Spain had offered that ſum; but I have not been able to diſcover what ſort of money was meant. I imagine the Spaniard left that undetermined, to have an opportunity of prolonging the negotiation as much as he pleaſed, and of breaking it off at laſt when he thought proper.

Ruſhworth. f. i. p. 8.

When the king of Spain's proceedings with reſpect to the marriage are conſidered, it muſt be thought, that he did not intend to conclude it, either at the time the negotiation was begun, or long after [h]. At firſt, his ſole aim was to amuſe king James, and hinder him from interpoſing in the affair of Cleves. The emperor had a mind either to keep that duchy for himſelf, or to give it to ſome prince of his family, under colour of holding it in ſequeſtration till the diſpute was decided. But the ſtates of the United Provinces avoiding this ſnare, ſeized part of the country in queſtion, proteſting to reſtore it to the perſon to whom it ſhould be adjudged. Beſides, they openly protected the elector of Brandenburgh, who was one of the chief claimants, and a proteſtant; as on the contrary, the houſe of Auſtria favoured the duke of Newburgh,

The Spaniard's aim in the negotiation of the marriage.

[h] Camden ſays, that the Spaniard's aim in this negotiation was to diſjoin and ſeparate England from the United Provinces, that he might the more eaſily reduce them to obedience. Annals.

who

who was turned catholic. On this pretence, prince Maurice on the one ſide, and Spinola on the other, endeavoured to become maſters of the country, and ſo a kind of religious war enſued, wherein England not interpoſing was of great conſequence to the houſe of Auſtria. For thus it was, that James was allured by the Spaniard with the hopes of the marriage and dowry of two millions. James I. 1618.

Pretences were not wanting to prolong the negotiation. The union of a catholic princeſs with a proteſtant prince, required that care ſhould be taken to ſecure to the infanta the liberty of profeſſing her religion, in a manner becoming the princeſs of Spain. This was the only article inſiſted upon at firſt, the two courts being of opinion, that before this was ſettled, it was in vain to treat of the reſt. As it was the Spaniard's intereſt to lengthen the negotiation, ſo it was neceſſary to ſatisfy king James of his ſincerity, to keep him ſtill at a bay. To that purpoſe, after a two years debate, fearing at laſt that James would be diſcouraged, he agreed with Digby and Cottington the Engliſh ambaſſadors upon five articles, the firſt whereof facilitated the continuance or even the entire interruption of the treaty, when it ſhould be no longer his intereſt to diſſemble. The articles were theſe: Convention for the prince of Wales's marriage with the infanta. Ruſhworth. t. i. Annals.

1. That the pope's diſpenſation be firſt obtained by the mere act of the king of Spain. Ruſhworth. t. i. p. 4. Edit. 1721. Annals. p. 36.

2. That the children of this marriage be not conſtrained in matter of religion, nor their title prejudiced in caſe they prove catholics.

3. That the infanta's family, being ſtrangers, may be catholics, and ſhall have a decent place appointed for all divine ſervice, according to the uſe of the church of Rome; and the eccleſiaſtics and religious perſons may wear their proper habits.

4. That the marriage ſhall be celebrated in Spain by a procurator, according to the inſtructions of the council of Trent; and after the infanta's arrival in England, ſuch a ſolemnization ſhall be uſed, as may make the marriage valid, according to the laws of that kingdom.

5. That ſhe ſhall have a competent number of chaplains, and a confeſſor, being ſtrangers, one whereof ſhall have power to govern the family in religious matters.

Theſe articles being tranſmitted to England, the king in allowing and ſigning them, thus expreſſed himſelf: "Seeing "this marriage is to be with a lady of different religion "from us, it becometh us to be tender, as on the one part, "to give them all ſatisfaction convenient, ſo on the other, The king ſigns theſe articles.

James I. 1618. "to admit nothing that may blemish our conscience, or detract from the religion here established." I confess I do not see how this maxim agreed with the second article. For the first, he supposed as previous, the pope's dispensation, which was expected several years, and at last came clogged with additions and limitations, which I shall have occasion to speak of hereafter.

King Philip's reasons for spinning out the negotiation.

Hitherto the Spaniard in prolonging the negotiation had only the succession of Cleves in view. But this year the affairs of Germany and Bohemia began to give occasion to fear, a religious war would be kindled in those countries. This was a fresh reason for the Spaniard's amusing king James, lest he should side with the protestants, and send them a powerful aid. For the better understanding of the sequel, it will be absolutely necessary to know in what situation the affairs of Germany and Bohemia then were.

Affairs of Germany. Rushworth, t. I. p. 4, &c. Annals. p. 58.

As for Germany, it suffices to say, that for some time there had been great jealousies and mutual suspicions between the catholics and the protestants. These complained, that they could not have justice either from the emperor or the imperial chamber. The catholics complained in their turn, that the protestants were continually endeavouring to extend their privileges beyond what the laws of the empire allowed: that after pretending to be satisfied with a bare toleration, they had aspired to an equality, and not content with that, had plotted to banish the catholic religion out of all Germany. On this pretence it was that the catholics had entered into a confederacy, which occasioned the like among the protestants. The protestants being assembled at Hailbrun, the emperor Matthias wrote to exhort them to dissolve their league. But they thought not proper to submit to his exhortations, by reason their league was only defensive, and the catholics did not offer to break their confederacy. This was a motive for the Spaniard to amuse king James, and hinder him from uniting with the protestants of Germany. But the troubles this year in Bohemia, furnished him with a motive of much greater consequence, which must be explained as briefly as possible, because that affair continually influences all the rest of this reign.

Affairs of Bohemia. Apology of the states of Bohemia. Hist. of the Reb. of Boh.

In Bohemia were two religions established by law, the one was called "sub una," and the other "sub utraque." The former was professed by the catholics, who communicated in one kind only, the latter by the Hussites, who received the eucharist in both kinds, and since the reformation were become true protestants. I have spoken elsewhere of the religious

ligious wars which afflicted that kingdom under the emperor Sigiſmund. It ſuffices therefore to add here, that Sigiſmund was forced, in order to be owned for king of Bohemia, to grant the Huſſites an edict, whereby among other privileges, it was decreed there ſhould be no magiſtrate or inhabitant in Prague but what was of their religion. This edict, granted in the year 1435, was obſerved till 1570, when by order of Maximilian II. a catholic was made citizen of Prague. Another of that religion obtained the ſame favour in 1599, and withal a place in the magiſtracy. From that time, Sigiſmund's edict was very frequently violated, and at laſt the jeſuits were admitted into Prague, and built there a ſtately college. Thus, by degrees the number of the catholics was conſiderably increaſed in the city, by means of the governors and the emperor's other officers who were all of the ſame religion. The more they increaſed, the higher they carried their pretenſions, and at laſt, if we may believe the Apology publiſhed afterwards by the Bohemians, the edict of Sigiſmund was continually tranſgreſſed. However, in the reign of Rodolphus II. the proteſtants, by the interceſſion of prince Matthias, obtained of the emperor a ſecond edict, which under colour of confirming their privileges, put them upon a ſort of equality with the catholics, though they had enjoyed the ſuperiority for one hundred and fifty years. Nevertheleſs, this equality was as much as they could expect, conſidering the preſent juncture of time. But, though it was far ſhort of their antient privileges, the emperor's officers in Bohemia thinking ſuch an edict prejudicial to the catholic religion, refuſed to publiſh it, affirming, it was extorted from the emperor whilſt at war with the Turks. Very likely they were privately countenanced by the court of Vienna.

James I. 1618.

Rodolphus II. dying in 1614 [i], his brother Matthias ſucceeded him both in the kingdom of Bohemia and the imperial dignity. Under the new king the privileges of the proteſtants were violated much more openly, and with greater haughtineſs than under the laſt, if any credit is to be given to their Apology. But this was not all, Matthias having adopted his nephew [k]. Ferdinand of Auſtria, had a mind alſo to ſecure him the crown of Bohemia. The execution of this project would doubtleſs have been very difficult, had not the emperor uſed artifice. Sileſia, Moravia, Upper and Lower Luſatia, being annexed to Bohemia, had a right to ſend deputies to

Rebel. of Bohemia. Wilſon. Coke. Ruſhworth, t. I. p. 6.

[i] In 1612.

[k] He was his couſin only, being ſon to Charles, younger brother to his father Maximilian I.

the

James I. the aſſembly of the ſtates of that kingdom. But as theſe
1618. countries were proteſtant, their deputies very probably would join with thoſe of Bohemia of the ſame religion, and fruſtrate the emperor's deſign. Wherefore he convened the ſtates of Bohemia without ſummoning the others. The proteſtants complained of the innovation, and not to authorize it, refuſed for the moſt part to ſend deputies to the ſtates. This was what the emperor foreſaw and wiſhed; for the catholic deputies being the majority, Ferdinand was declared Matthias's preſumptive ſucceſſor, and ſhortly after crowned at Prague; after which he reſided at Gratz. The defenders, for ſo were called a certain number of eminent perſons, choſen and appointed by the ſtates to ſee the edicts put in execution, perceiving the deſigns of the imperial court, ſummoned the ſtates purſuant to their power, and forgot not to call the incorporated provinces. This aſſembly only drew a petition to be preſented to the emperor, wherein the ſtates demanded the execution of the laws of the kingdom, and a juſt reparation for the injuries done them. Mean while, as they could come to no reſolution before the emperor's anſwer was received, they adjourned to the Monday after Rogation-week in the year 1618.

Annals. p. 41.

Ferdinand of Auſtria is declared heir to Matthias. Ruſhworth, T. I. p. 6.

The Bohemian ſtates preſent a petition to the emperor.

Idem. p. 7. The emperor, inſtead of being inclined to ſend a favorable anſwer to the ſtates petition, ordered his lieutenant in Bohemia to hinder the next ſeſſion of the aſſembly, called without his licence. But the lieutenant was not ſtrong enough to execute the order. His oppoſition ſerving only to exaſperate the ſtates who were aſſembled on the day appointed in the college of Charles IV. they went in a body to the chancery, and ſeizing the emperor's officers pitched upon three and threw them out of the caſtle-window [1]. After that, they drove the jeſuits out of Prague.

They throw three of his officers out of a window.

They reſolve to take up arms. Wilſon. Ruſhworth, t. I. p. 7. Things being come to this extremity, the ſtates publiſhed an Apology to inform the public why they had puniſhed theſe officers. But as they believed the emperor would not hear their reaſons, they ſigned a confederacy, promiſing mutual aſſiſtance againſt all oppoſers. In the mean time, hearing the emperor was making preparations to attack them, they choſe four and twenty protectors, impowering them to raiſe forces, and lay upon the kingdom and the incorporated countries what taxes they ſhould judge neceſſary. Thus, a war being unavoidable, each took ſuch meaſures as he deemed requiſite to attack or defend.

1 Slabata the chief juſtice, Smeſantius one of the council, and Fabritius the ſecretary. Wilſon, p. 720.

At

At the time the Bohemian ſtates were taking theſe reſolutions, the cardinal infant was preparing an army in the Low-countries to aſſiſt the emperor. Whilſt the army was levying, he ſent Charles de Bucquoy, count de Longueval to the emperor, who made him general of the army deſigned againſt Bohemia. The ſtates choſe for their generals count Erneſt of Mansfeldt and the count de la Tour. This war was of ſo great moment to the houſe of Auſtria, that it is not very ſtrange the Spaniard ſhould ſtill continue to amuſe king James with the hopes of ſeeing the projected marriage ſpeedily concluded. Very likely the war would at laſt become a religious war, and in that caſe, England could very much ſtrengthen the proteſtant party. Afterwards, the king of Spain had ſtill farther motives to continue this management. But the wonder is, though James had very ſtrong reaſons to ſuſpect the Spaniard of artifice, he ſtill obſtinately relied on his ſincerity. "It ſeemeth unto us here in England," (ſays one of his miniſters in a letter to Cottington) "that Conde Gonde "mar hath gone but very ſlowly in his journey: and divers "(ſeeing how long time he hath ſpent in the way) do make "conjecture, that it proceedeth from the ſmall affection that "he judgeth to be there, towards the effecting of the main "buſineſs.—But if the Spaniards act unſincerely, I ſhall judge "them the moſt unworthy and perfidious people of the "world, and the more, for that his majeſty hath given them "ſo many teſtimonies of his ſincere intentions towards them, "which he daily continueth, as now of late, by the cauſing "Sir Walter Rawleigh to be put to death, chiefly for the "giving them ſatisfaction, when by preſerving him, he might "have given great ſatisfaction to his ſubjects, and had at com-"mand upon all occaſions as uſeful a man as ſerved any "prince in Chriſtendom [m]." 'Tis certain however the king was amuſed by the Spaniſh court. Count Condemar undertaking to carry into Spain the articles ſigned by the king, was ſo very long on the road, that 'twas evident he ſought only to delay the time. Notwithſtanding this, king James continued wilfully to ſhut his eyes, which will appear ſtill plainer in the ſequel.

James I. 1618.

Army levied in the Low-countries for the emperor.

Hiſt. of the Rebel. of Bohemia.

Bucquoy is made the emperor's general.

James is amuſed by the Spaniſh court.

Wilſon. Ruſhworth, t. I. p. 9. Annals of James I. p. 39.

Though the people of England were not informed of the contents of the articles agreed upon by the two courts, they

[m] The author of the Annals inſinuates, that this letter might be an invention of Ruſhworth's, but gives no reaſon for it, Rapin. His words are, "the reader is to take notice, that this "letter, as to its value and reputation, "muſt reſt ſolely upon Ruſhworth's "credit." p. 40.

knew

James I. 1618. knew however the marriage was going to be concluded, and thought it could not but be prejudicial to religion. This occaſioned many complaints and murmurs amongſt the proteſtants[n], whilſt the catholics triumphed, knowing the king of Spain would not give his daughter to prince Charles, without procuring them great advantages. At the worſt, they were ſure of having in that princeſs a powerful protectreſs, who would never forſake the intereſts of her religion. We ſhall ſee in the following years how artfully the Spaniard prolonged the negotiation, till he had drawn from it all poſſible advantages, as well for the houſe of Auſtria as for the catholic religion.

The proteſtants of England murmur, and the catholics triumph. Ruſhworth, t. I. p. 4. &c. Annals, p. 37.

1619. In the beginning of the year 1619, the earl of Northumberland, who had been in the Tower ever ſince the Gunpowder plot, obtained his liberty at laſt by means of the lord Hay his ſon-in-law, lately made viſcount Doncaſter[o].

The earl of Northumberland is releaſed. Wilſon.

About the ſame time, doctor Williams deans of Weſtminſter was made privy-counſellor, and ſhortly after biſhop of Lincoln[p]. I purpoſely mention this prelate's promotion, becauſe he will often occur in the hiſtory of this as well as of the next reign.

Williams is made privy-counſellor. Weldon.

In March this year[q] the king loſt his queen, in the forty-ſixth year of her age. Shortly after he was himſelf ſeized with a great illneſs, which brought him, as I may ſay, to the brink of the grave. It would have been well for his reputation, had he died at this time, ſince the reſt of his reign,

The queen's death. Howes. Weldon, p. 129.

The king's illneſs.

[n] They would have bought off this match at the deareſt rate; and, as far as they durſt, oppoſed it by ſpeeches, counſels, wiſhes, prayers, &c. Ruſhworth, tom. i. p. 4.

[o] James lord Hay it ſeems had married, on November 6, 1617, Lucy the duke's youngeſt daughter without his conſent, and he was ſo much diſpleaſed with the match, that he could hardly be brought to accept of his liberty from the hands of his ſon-in-law. The fine of 30,000l. which he had been condemned to, was compounded at 11000. State of the Revenue, p. 11. His daughter was the ſame lady, who under the title of counteſs of Carliſle, made the moſt ſhining figure in the court of Charles I. as a beauty, wit, and politician. The old duke, when he came out of the Tower, hearing that Buckingham was drawn about with ſix horſes in his coach, (being the firſt that was ſo) put on eight to his, and in that manner was drawn through the city, in his way to the Bath. Wilſon, p. 720.

[p] Doctor Williams was not made dean of Weſtminſter till July the 12th, 1620. Nor biſhop of Lincoln till July 1621. Philips, p. 57, 58, 76.—— He was reported to be married to Buckingham's mother. Weldon, p. 138.

[q] Ruſhworth places the queen's death on the 17th of November 1619. Rapin. ——Camden ſays, ſhe died March the 1ſt, 1619, of a dropſy in the night. Annals. Howes, p. 1031. The character of this queen is variouſly drawn. Some repreſent her as a vicious, lewd and luxurious woman; but this, upon the beſt enquiry, ſeems to be only calumny. Wilſon more juſtly affirms, that ſhe was a good woman, and may have engraven upon her monument, a character of virtue. See Sir E. Peyton, p. 27, 28. Wilſon, p. 719, &c.

which

which lasted six years longer, was not much to his honour. In this space he more plainly discovered his settled design to stretch the prerogative-royal as high as possible. Besides, he gave very convincing proofs, that though he defended the protestant religion by his writings, he had not its interest much at heart. In fine, his eager desire to conclude the Spanish match displayed all his weakness, and the affair of Bohemia, in which he could not but be concerned, fully satisfied the world of his slender capacity. James I. 1619.

The emperor Matthias dying the 20th of March 1619, Ferdinand his cousin and adopted son, was proclaimed king of Bohemia, as well in consequence of his election, as in virtue of his pretended hereditary right to that crown. Mean while, as his chief aim was to obtain the imperial dignity, and as he stood in need for that purpose of the protestant electors, he feigned a willingness to end amicably the war now begun in Bohemia, by giving the states a reasonable satisfaction with respect to their privileges. But the states thought not fit to trust to his promises. In the mean time, he endeavoured to gain the electors, and make alliances with the catholic princes of Germany. James, who gloried in being stiled the pacific king, thought himself obliged as such, to try to appease by his mediation the troubles of Bohemia. To that end, he chose the viscount Doncaster to go and endeavour to procure a peace between Ferdinand and the Bohemian states. There was not a prince in Europe so improper as he for a mediation of this nature, considering his principles with respect to monarchy. This embassy was very expensive, the ambassador, who was a sort of favorite, and extremely profuse, having been very lavish of his master's money. Mean while, I know not whether he could obtain so much as a single audience of Ferdinand, who still removed as the ambassador approached. Thus much is certain, the embassy was entirely fruitless, and served only to show the little account Ferdinand made of the king of England's mediation.

Continuation of the affairs of Bohemia. History of the rebell. of Bohemia. Matthias dies and Ferdinand is proclaimed king of Bohemia. The states refuse to own him. James interposes to make up matters. Rushworth, t. I. p. 11, &c. Annals, p. 41. Wilson. p. 720.

The time appointed for the election of an emperor approaching, the elector of Mentz summoned the rest of the electors, and particularly Ferdinand as king of Bohemia. The states of that kingdom protested against the summons, saying, Ferdinand could not be received as elector in quality of the king of Bohemia, since he was not in possession of that kingdom. But their opposition was ineffectual. Ferdinand was not only acknowledged for king of Bohemia and elector,

Ferdinand is invited to the diet as king of Bohemia, and elector. History of the rebell. of Bohemia.

James I. 1619.

elector, but was also chosen emperor the $\frac{8}{18}$ of August 1619 [r], Then the states of Bohemia, seeing they had not been able to hinder Ferdinand from being emperor, took an oath never to own him for their sovereign, and at the same time, namely, on the 5th of September [s], chose for their king, Frederic elector Palatine, and sent deputies to acquaint him with his election and pray him to repair to Prague [t]. Frederic did not want much sollicitation to accept of a crown offered him by those who in his opinion had a right to dispose of it. He sent however Baron d' Aulné [u] to the king his father-in-law for his advice, but it was a mere compliment. As he knew him to be a prince not very ready to engage in great undertakings, he did not stay for his answer, but assembling some troops, came to Prague, where he was crowned the 4th of November.

The states oppose it. Ferdinand elected. Rushworth, t. I. p. 11. Wilson.

The Bohemian states chuse the elector Palatine. He accepts of the crown. Wilson.

Before Frederic's envoy reached England, James hearing the news of his son-in-law's election, called a council to debate whether the elector ought to accept or refuse the crown of Bohemia. The archbishop of Canterbury not being present by reason of the gout which confined him to his bed, writ to secretary Naunton, "That it was his opinion the elector "should accept of the crown, and England openly support "him. And therefore as soon as there should be certain "news of his coronation, the bells ought to be rung, guns "fired, and bonfires made, to let all Europe see the king was "determined to countenance him." But this advice was not followed. The king maintained in the council Ferdinand's cause against the states of Bohemia, and without knowing any thing of their privileges, as he afterwards owned, decided that the Bohemian states were in actual rebellion [w]. As for the reasons with which the archbishop supported his opinion in his letter to Naunton, the king rejected them as built

James thinks the elector ought to refuse it. The archbishop's opinion rejected. Rushworth, t. I. p. 11. Annals, p. 42. Cabala, p. 110.

[r] He was elected by the archbishop of Mentz, the duke of Saxony, and the electors of Brandenburgh, Colen, and Triers. Rushworth, tom. i. p. 11.

[s] The 26th of August. Rapin makes use sometimes of the new stile, which in the last century was ten days before our reckoning, and is now eleven. The elector Palatine was crowned November 4. Wilson, p. 721.

[t] They offered the crown first to the duke of Saxony, who refused it. The elector Palatine accepted it, through the persuasion of his two uncles, Maurice prince of Orange, and the duke of Bouillon. Burnet's Hist. p. 13.

[u] Some say, it was the baron of Dhona. I own, I am not certain, whether it was d' Aulné, or Dhona, Rapin.——Most of our historians call that person the baron Done, as the Annals, p. 42. Wilson, p. 721, &c. In Rymer's Fœd. he is called the baron de Dona. Tom. 17. p. 160.

[w] He was so possessed of the opinion of a divine right in all kings, that he could not bear, that even an elective and limited king should be called in question by his subjects. Burnet's Hist. p. 13.

upon

upon puritan-principles [x]. For, as I have elſewhere obſerved, there were in this reign ſtate-puritans as well as church-puritans, whom the court took great care to confound one with another, and this confuſion of ideas has been preſerved to this day. Hence the obſcurity which ſtill occurs in the notion of the two parties of whigs and tories. It was therefore reſolved, the king ſhould admoniſh the elector to refuſe the offered crown, not only becauſe it was agreeable to the king's principles, but for another, and no leſs ſtrong reaſon, namely, the king rightly judged that the elector's acceptance could not but be extremely prejudicial to the negotiation of the Spaniſh match, conſidering the ſtrict union between the princes of the houſe of Auſtria. James I. 1619. Annals.

But the elector Palatine had broken theſe meaſures by accepting the crown, without ſtaying for the council of England's reſolution. The king was ſo angry, that he refuſed to give baron d' Aulné audience, who ſince his departure had received orders to excuſe the elector from the neceſſity he was under of proceeding with all poſſible expedition. If the ſtates of Bohemia had deſigned to gain king James by electing his ſon-in-law, they were very much deceived, ſince they were never aſſiſted by him. The very ambaſſadors ſent by king James on this occaſion to the emperor, and ſeveral German princes, did great injury to the ſtates; for theſe ambaſſadors had expreſs orders to diſavow Frederic's proceedings; and of all the proteſtant princes, James alone never gave him the title of king. The king angry with the elector. Ruſhworth, t. I. p. 12. Wilſon. p. 721. Annals, p. 42. Ruſhworth, t. I. p. 12.

Mean while, though the elector was now crowned, the king his father-in-law fancied he could perſuade him to quit the crown, and induce the ſtates of Bohemia to acknowledge Ferdinand. To that purpoſe he ſent two ambaſſadors to Prague, namely, ſir Richard Weſton a papiſt, and ſir Edward Conway a proteſtant. Conway being afterwards made ſecre- He thinks to perſuade him to quit the crown. Ruſhworth, p. 12. Howes.

[x] The archbiſhop ſays in his letter, "It is a great honour to his majeſty, "to have ſuch a ſon made a king; and "methinks I do foreſee in this the "work of God, that by degrees the "kings of the earth ſhall now leave "the whore to deſolation, as St. John "ſays. Our ſtriking in will comfort "the Bohemians, honour the Palſ-"grave, ſtrengthen the union, bring "on the Dutch, ſtir up Denmark, "&c. to caſt in their ſhares, and Hun-"gary I hope will run the ſame for-"tune, and for money and means to "ſupport the war, providebit Deus." This from my bed, and when I can "ſtand, I hope to do better ſervice. Sep-"tember 12, 1619." The letter in Ruſhworth is ſomething different from this, particularly, he makes the archbiſhop ſay, "The parliament is the old and "honorable way of raiſing money, and "all that may be ſpared is to be turned "this way. And perhaps God has "provided the jewels which were laid "up in the Tower by the mother for "the preſervation of the daughter. "Certainly, if countenance be given to "this action, many brave ſpirits will "offer themſelves." Toſſ. I. p. 12.

tary

James I. 1619. tary of ſtate, the king uſed to ſay to him merrily, that never prince had ſuch a ſecretary, who could neither read nor write[y]. This embaſſy was very fruitleſs, as it was eaſy to foreſee.

The Spaniſh court continue to amuſe the king.

Mean time, the king of Spain did not forget to do the emperor good ſervice in keeping king James in his pacific diſpoſition. Nothing was talked of at the court of Madrid but the king of England's generoſity, juſtice, and equity: in fine, to amuſe him the better, the negotiation of the marriage was renewed, having been interrupted in expectation of the pope's diſpenſation; nay, it was intimated to Cottington, that if the diſpenſation did not quickly arrive, the marriage ſhould be concluded without it, or means found to force the pope to grant it. Cottington, who knew the Spaniſh court, fell not into the ſnare: he ſent word to England, that nothing more was to be expected concerning the marriage; that the king of Spain's intent was only to amuſe his majeſty; and therefore he believed the negotiation ought to be broke off. But inſtead of ſeeing his advice followed, he received orders to declare to the king of Spain, that his maſter was not concerned in the acceptance of the crown of Bohemia: that his ſon-in-law had proceeded without his approbation and knowledge, and therefore he entirely diſowned him. Philip anſwered, he was glad to find the king his brother in ſo equitable a diſpoſition, and that nothing could ſooner gain his eſteem and affection than the continuance of this expreſs diſavowal of an action ſo repugnant to juſtice[z].

Rushworth, tom. i. p. 13.

1620. James deſires to be umpire between Ferdinand and Frederic, but cannot ſucceed. Rushworth.

The affair of Bohemia put ſeveral of the princes of Europe in motion, and held the reſt in ſuſpence. Ferdinand and Frederic had each their friends and allies, who were preparing to aſſiſt them, whilſt James ſtood neuter, imagining that by making a ſhow of neutrality, he ſhould induce the two competitors to make him arbiter of their difference. But both were jealous of him, the one becauſe he was a proteſtant and

[y] It was a pleaſant remark of the king's, that Stenny had given him three notable ſervants; a gentleman of the bedchamber (Clark) who could not help him to untruſs a point, for he had but one hand. A chaplain (Dr. Preſton) who could not ſay prayers, for he ſcrupled the uſe of our liturgy. And a ſecretary of ſtate (Conway) who could neither write nor read. Conway had been bred a ſoldier, being governor of the Briel when England gave up the cautionary towns.

[z] This year, Auguſt 2, Robert Sidney viſcount Liſle was created earl of Leiceſter, William lord Compton earl of Northampton, William Cavendiſh earl of Devonſhire, and Robert lord Rich earl of Warwick. Howes, p. 1029. Dugdale, vol. ii. — On July 17, one Bernard Calvert, ſetting out of Southwark about three o' clock in the morning, embarked at Dover about eight, went to Calais, and returned to Southwark again the ſame day about eight in the evening. Howes, p. 1032.

father-in-law of his adverſary; the other, becauſe he had openly declared he diſapproved of his conduct: ſo, without much regarding his ſollicitations, both ſides prepared to decide the quarrel by arms. James I. 1620.

Had England eſpouſed Frederic's cauſe, and with a good fleet kept Spain and the Netherlands in awe, the elector very probably would have preſerved his crown, in ſo good a ſituation were his affairs the beginning of the year 1620. Several princes of Germany had formed a league to ſupport him, and were now levying an army, to be commanded by the prince of Anſpach[a]. On the other hand, Bethlem Gabor prince of Tranſilvania had excited the Hungarians to rebel againſt Ferdinand, and moſt part of Auſtria had followed the example of Hungary and Bohemia. All this confounded the emperor, and would have confounded him more if the elector of Saxony had ſtill remained neuter according to his firſt reſolution: but the emperor offering him Upper Luſatia, on condition he would conquer it, he could not withſtand the temptation of acquiring a country which lay ſo convenient for him. Moreover, the duke of Bavaria and the three eccleſiaſtical electors[b] declared for the emperor; the pope ſupplied him with money, and the king of Spain ordered his forces at Naples and in the Milaneſe to march to his aſſiſtance.

Ferdinand is embarraſſed. Wilſon. Annals, Ruſhworth, tom. i. p. 14.

But this was not all the aid the Spaniard gave the emperor; he aſſiſted him ſtill more conſiderably in hindering James from aiding his daughter and ſon-in-law, and keeping him immoveable, and as it were enchanted with the hopes of the marriage and the dowry of two millions. To hold him the faſter in his chains, Philip ſent back count Gondemar under colour of finiſhing the affair. He diſſembled ſo artfully, that James, who had recalled Digby[c] from Spain, ſent thither ſir Walter Aſton; to endeavour with Cottington to finiſh the treaty, which he thought very near a concluſion. Gondemar being returned to England with great ſums of money, laid them out ſo pertinently, and made ſuch good uſe of his talents and knowledge of the court, that he became as maſter of the king, the favourite, and the miniſters, and governed them as he pleaſed.

Philip orders an army to be raiſed in the Netherlands to invade the Palatinate. Wilſon, p. 725. Ruſhworth, tom. i. p. 14. Cabala.

[a] The preference given to this prince before the counts Mansfeldt and De la Tour, occaſioned ſome diſcontent in the two latter, which was very prejudicial to the elector Palatine's affairs. Wilſon, p. 722.

[b] The archbiſhops of Mentz (who only has power to ſummon the reſt to an election when the empire is vacant) Triers, and Cologne.

[c] He was created lord Digby of Sherborne, November 25, 1618. Howes, p. 1031.

James I. 1620. To this aid, which was not inconſiderable, Philip was preparing to add another more effectual, to enable the emperor to get the advantage of his enemy. Frederic had drawn ten thouſand men out of the Palatinate, and ſent them into Bohemia. This inſpired the emperor with the thoughts of invading him on that ſide, and to execute the project Philip and the archduke Albert levied in the Low Countries an army of twenty-ſix thouſand foot and four thouſand horſe, to be commanded by Ambroſe Spinola. The truce between Spain and the United Provinces not being yet near expired, it was evident theſe forces could be deſigned only againſt the Palatinate. The Hollanders warned king James of it, and ſuch of the courtiers as were not bribed with Spaniſh gold, never ceaſed to repreſent to him the danger to which the elector's dominions would be expoſed, if he did not ſuddenly reſolve to prepare for their defence. But James could not think of taking ſuch meaſures on bare ſuſpicions. He contented himſelf with ordering ſir Thomas Edmonds, his ambaſſador at Bruſſels, to aſk the archduke the reaſon of ſo conſiderable an armament. The archduke anſwered, it was by the king of Spain's order, and the reaſon might be known of Spinola, who had the command of the army. Spinola being aſked the ſame queſtion, replied, that indeed he was ordered by the king of Spain to raiſe forces, but did not know for what purpoſe: that his orders being ſealed, he could not open them till his march; and if the ambaſſador would follow him, he might then be reſolved. A man muſt have been wilfully blind not to ſee what this myſtery tended to, and yet James ſtill continued immoveable, relying on the Spaniard's friendſhip and Gondemar's fair promiſes.

Wilſon.

King James's wretched management.

Du Cheſne. Hiſt. d'Aug. Wilſon. Annals. Ruſhworth, tom. i. p. 14.

The whole kingdom was extremely ſurprized at the king's inſenſibility for his ſon-in-law, his daughter, and their children; but for his part he looked upon the quarrel between the emperor and Frederic in quite another light. He was juſt going to be ſtrictly united with the houſe of Auſtria by his ſon's marriage with the infanta of Spain, and at that very time the elector his ſon-in-law had broken all his meaſures by a raſh, unjuſt, and inconſiderate action, for ſo he termed the acceptance of the crown of Bohemia. "Is it reaſonable (ſaid he) I ſhould "ſuffer myſelf to be drawn by a ſon-in-law's ambition and "humour into a war againſt the houſe of Auſtria, who have "done me no wrong? Muſt I alter all my projects, all my "meaſures, becauſe the elector Palatine has been pleaſed "to accept the crown of Bohemia, without ſo much as aſk-

The king is perſuaded to let 2200 Engliſh be ſent to the Palatinate. Wilſon, p. 722. Annals. Ruſhworth, tom. i. p. 15.

"ing

"ing my advice[d]?" However, by much perſuaſion, he was prevailed with at length to ſuffer a regiment of two thouſand two hundred men to be raiſed, which was done moſtly at the charge of ſome lords. Sir Horatio Vere, who had long ſerved in Holland, where he had acquired great reputation, commanded this regiment, having under him Burroughs and Herbert for major-generals. The earls of Oxford and Eſſex accompanied him, and commanded each a company of gentlemen volunteers[e]. James I. 1620. They are commanded by ſir Horatio Vere.

This regiment being raiſed with great expedition, was tranſported to Holland. Then they paſſed the Rhine below Weſel, to avoid Spinola, who was at Aix la Chapelle. It was not without danger that the Engliſh croſſed ſo many countries to reach the Palatinate; nay, they durſt not have attempted it if prince Frederic Henry of Naſſau, with two thouſand horſe and ſome foot, had not conducted them to Francfort, and deceived Spinola's vigilance, who expected them on another road. It was the 15th of October before they joined the army of the king of Bohemia's allies[f], commanded by the markgrave of Anſpach. The Engliſh join the army of the confederates Auguſt 31. Wilſon, p. 720. Annals.

Spinola, who departed from Bruſſels the 8th of Auguſt, being come to Coblentz, opened his orders in the preſence of the Engliſh ambaſſador, who had accompanied him thus far. The orders were, to make war upon all who ſhould declare for the elector Palatine. This was all Edmonds could know of Spinola's deſigns. The reſt was eaſy to be gueſſed, conſidering which way he was marching. He arrived in the Palatinate before the Engliſh had joined the confederate army, and took ſeveral ſmall places. The two armies tried one another for ſome time, and were once in ſight of each other ready to engage, but no action of moment enſued[g]. The ſeaſon, which daily grew worſe, obliging them at laſt to retire to winter quarters, the confederate princes led home their troops, leaving the Engliſh in garriſon at Heidelbergh, Manheim, and Frankendal. Campaign of the Palatine. Wilſon. Annals.

[d] The king uſed to ſay, "The Bohemians made uſe of the palſgrave as "the fox did of the cat's tail, to pull "the apple out of the fire for his own "eating." Ruſhworth, tom. i. p. 12.

[e] Conſiſting of two hundred and fifty. There were among them ſir Edward Sackville, ſir Gerard Herbert, ſir Robert Knolles, captain Stafford, Wilmot, Burroughs, Knightly, William Fairfax, etc. Ruſhworth, p. 15. So many flocked to Eſſex, that beſide the two hundred and fifty in his camp, he paid fifty himſelf. Wilſon, p. 722. This hiſtorian attended the earl of Eſſex in this expedition. See p. 723.

[f] They only joined then part of it, conſiſting of ſix thouſand foot and four thouſand horſe. Idem. p. 723.

[g] There was a ſkirmiſh on the 20th of March between the two armies, wherein the elector palatine's got the victory. Wilſon, p. 724.

James I. 1620.

In April this year the king of France sent to the emperor and several German princes, the duke of Angoulême, the duke of Bethune[h], and Mr. des Preaux, to endeavour to appease the Bohemian and Hungarian troubles. At the same time James dispatched sir Henry Wotton[i] on the same errand, and to exhort to peace all the princes engaged in the quarrel between the emperor and the palsgrave. If, whilst he sent this ambassador, he had armed by land and sea, and put himself in a condition to strike terror, his remonstrances doubtless would have been hearkened to, and his mediation perhaps accepted[k]: but Wotton having traversed most part of Germany, and talked with several princes of both parties, brought back only general expressions, which showed how little the king his master was regarded. At last he came to Vienna[l], where he found the French ambassadors. In the audience he had of the emperor, he made two propositions, each divided into three articles, according to the king's usual custom, who was very fond of divisions and subdivisions. It must be observed, the emperor had now published a ban against the elector palatine[m], wherein he had fully set forth the reasons moving him to come to such extremities: that Spinola was marching to the Palatinate: that the duke of Bavaria was leading his troops to Bohemia, to join the emperor's forces[n]; and the elector of Saxony going to invade Lusatia[o]. In this juncture Wotton made his two propositions to the emperor.

James sends an embassy to Germany. Annals.

Success of the embassy. Annals, p. 43.

Hist. of Reb. of Bohemia.

The first general proposition was, that the emperor might trust the king, as it appeared by the three following reasons.

1. The king was never concerned in the acceptance of the crown of Bohemia.

2. The elector Palatine did not impart the affair to him before his election, and he had disapproved of it. This was evident from the king's never suffering him to be stiled King of Bohemia, or to be prayed for as such in the churches.

3. The king never assisted the elector with men or money.

h It was not the duke Bethune, but Philip de Bethune baron of Rhosny who died 1649, aged eighty four.

i Rapin by mistake says sir Edward. See Annals, p. 43.

k Had he, as Weldon rightly observes, spent half the money in Swords instead of Words, for which he was but scorned, it had kept his son-in-law in his own inheritance, and saved much christian blood since shed, p. 83.

l The 1st of September. Rapin.

m Ever since April 30, 1620. Idem.

n Count Bucquoy joined the duke of Bavaria the 6th or 7th of September. Rapin.

o He began the siege of Bautzen, September 8. Rapin.

The ſecond propoſition was concerning the means of procuring a peace, and contained theſe three articles. James I. 1620.

1. He deſired the emperor to let him know whether he was content to treat of an accommodation by his maſter's and the French king's mediation: adding, if his imperial majeſty expected the affairs of Bohemia ſhould be reſtored to their former ſtate, he conceived that his ſtay at Vienna and the king his maſter's mediation would be fruitleſs.

2. He prayed the emperor to inform him of the ſtate of affairs in Bohemia.

3. And that he would be pleaſed to grant a ceſſation of arms, and let the roads be open between Vienna and Prague during the negotiation.

The emperor, ſurprized to hear ſuch propoſitions in the preſent ſtate of affairs, told the ambaſſador he did not fully underſtand his diſcourſe, and deſired a clearer and more circumſtantial memorial, that he might be able to give him a ſuitable anſwer. Whether the ambaſſador could explain the king's mind concerning the firſt article of the ſecond propoſition, or for ſome other reaſon unknown, the memorial was never preſented, at which the emperor was much diſpleaſed. Thus ended this embaſſy.

The elector of Saxony, the duke of Bavaria, and the marquis of Spinola, commiſſioned to execute the imperial ban, began all three to act in September. I have already ſpoken of what Spinola did in the Palatinate, during this firſt campaign. The elector of Saxony, at the head of twenty thouſand men, entered Luſatia, and by the end of October conquered the whole country, which he kept for himſelf according to his agreement with the emperor. The duke of Savoy conquers Luſatia. Annals, p. 42. Ruſhworth, tom. i. p. 15.

Whilſt the elector of Saxony was in Luſatia, the duke of Bavaria having ſubdued Upper Auſtria the beginning of September, joined count Bucquoy who commanded the imperial army in Bohemia. As Frederic had all his forces there, the emperor's two generals were obliged to take ſome places before they could advance to Prague. At length, having opened a paſſage, they came in the beginning of November within ſight of that metropolis and of the enemy's army poſted between them and the city. A few days after [p] was fought the battle of Prague, wherein Frederic's army was entirely routed. This prince, who ſtaid at Prague during the battle, haſtily retired with his wife and children, leaving all his baggage and money in the city, which on the morrow opened The duke of Bavaria joins Bucquoy. Wilſon. p. 724. Annals. Novemb. 7. Battle of Prague, wherein Frederic is defeated.

[p] On the 8th of November. There were ſix thouſand Bohemians ſlain, and more taken priſoners. Coke, p. 108.

James I. 1620.

her gates to the Imperialiſts and Bavarians. Weſton and Conway, the Engliſh ambaſſadors, followed the king in his flight: but finding he intended to withdraw into Holland, they obtained a paſſport to return to Prague, where they remained not long, their ſtay being entirely needleſs [q].

He flies to Holland. Wilſon. Annals. Coke, p. 108

The victory lately gained by the emperor's arms produced great effects, the firſt whereof was, that the palſgrave was forſaken by moſt of the princes his confederates. The prince of Anhalt himſelf, who commanded his army, entered into the emperor's ſervice. Count Mansfelt alone remained faithful, and was ſtill ſerviceable to him [r].

He is deſerted by his allies. Wilſon, p. 725.

James ſollicits Lewis XIII. in behalf of the huguenots, Coke, p. 109, but obtains nothing.

This ſame year the huguenots of France being vigorouſly puſhed by Lewis XIII. James ſent ſir Edward Herbert [s] to ſollicit him in their behalf; nay, he had orders to uſe menaces if the court of France refuſed to regard his remonſtrances. Herbert diſcharged his commiſſion ſo bluntly, that the conſtable Luynes, being offended at it, cauſed him to be recalled. Herbert would have afterwards ſent a challenge to the conſtable for miſrepreſenting his words, but the king would not ſuffer it. The viſcount Doncaſter, lately made earl of Carliſle, was ſent to France in Herbert's room. He ſpent immenſe ſums, without effecting any thing for the huguenots. This is not ſurpriſing, ſince the French court knew king James was neither able nor willing to aſſiſt them.

He takes falſe meaſures to ſave the Palatinate. Wilſon. p. 725.

The campaign of the Palatinate was no ſooner ended, than the earl of Eſſex poſted away, to repreſent to the king the impoſſibility of ſaving that country, without a ſpeedy and powerful aid [t]. But it was not by way of arms that James meant to ſupport his ſon-in-law's intereſt. Count Gondemar ruled him as he pleaſed, by feeding him with continual hopes of the good ſucceſs of the marriage, provided he would not diſturb the negotiation by proceedings offenſive to the king of Spain: nay, he told him, that ſhould the emperor become maſter of the Palatinate, it would only be a ſurer means to put an end to the war, becauſe then it would be given to

Ibid.

[q] It is ſaid that Frederic's ill ſucceſs was owing in ſome meaſure to his niggardlineſs; for though he had great ſums of money by him, yet was he ſo ſlow in paying his ſoldiers, that they were neceſſitated to take free quarters upon the Bohemians. The jealouſy alſo that the Lutherans had of the aſcendant the Calviniſts might gain by this acceſſion, had an unhappy ſhare in the coldneſs which all the princes of that confeſſion ſhowed towards him, though Saxony only declared againſt him. Coke, p. 108. Wilſon, p. 724. Burnet, p. 13.

[r] He had an army of between fourteen and fifteen thouſand men. Wilſon, p. 725.

[s] Afterwards lord Herbert of Cherbury.

[t] King James ſent the elector palatine 30,000l. to keep the princes of the union in arms. Ruſhworth, tom. i. p. 18.

the

the infanta for a preſent to the prince her ſpouſe, who might reſtore it to the count palatine. All this paſſed current with the king: he was ſo poſſeſſed with the project of ending the war by means of this match, that nothing was capable of altering his belief. Count Gondemar had bribed with preſents and penſions all thoſe who had the king's ear [u], and who took care to cheriſh him in this vain project [w]. The reſt of the world were aſtoniſhed to ſee the king take ſuch wrong meaſures; but no man durſt preſs him upon that head, knowing he did not care any but his miniſters ſhould ſpeak to him of ſtate-affairs. He verily believed there was no other way to ſave the Palatinate, than to preſerve a good underſtanding with the king of Spain and the emperor by ſtanding neuter. This he declared himſelf to the council, adding however, if his inſtances were rejected he would have recourſe to arms at laſt. Not that he had any intent to go to war with the houſe of Auſtria let what would happen, but hoped this would be a good pretence to get money, which he wanted very much. To that end likewiſe it was debated in council, how to make preparations for the defence of the Palatinate, in caſe the king's mediation was rejected. Gondemar having notice of what had paſſed at the board, writ to the marquis of Buckingham, deſiring to know what was the king's intention. Here is the favourite's anſwer, which plainly diſcovers the king's thoughts.

James I. 1620.

Ibid. Ruſhworth, tom. i. p. 18.

Ruſhworth, tom. i. p. 17. Annals.

SIR,

"I Showed your letter to the king, who thinks your requeſt reaſonable. He has ordered me to tell you, that the ſpeach he lately made to the council, contained two principal points: firſt, whereas the world talked ſo variouſly of him, he declared, he was ſo far from adviſing the elector Palatine to accept the crown of Bohemia, that he uſed his utmoſt endeavours to diſſuade him from it. For the particulars of what he ſaid upon this ſubject, he refers

Buckingham's letter to Gondemar, wherein he explains the king's thoughts upon the Palatinate. Du Cheſne. p. 714.

[u] Particularly the earls of Worceſter and Arundel, the lord Digby, ſir George Calvert, ſir Richard Weſton, and others, popiſhly affected; together with Buckingham and his numerous train. But the duke of Lenox, the marquis of Hamilton, and William earl of Pembroke, were againſt the Spaniſh match. Wilſon, p. 725, 726.

[w] Wilſon ſays, he bribed the very ladies, eſpecially thoſe who talked much, and to whom much company reſorted, that they might allay ſuch as were too fowre in their expreſſions, and ſtop them if they run on too faſt. But it ſeems he had neglected the lady Jacobs, who, upon his paſſing by her window in his chair, inſtead of anſwering his ſalutation as uſual, only gaped with her mouth, which repeating again next day, he ſent to know the reaſon; ſhe replied, that "ſhe had a mouth to ſtop, as "well as other ladies." p. 726.

Hiſt. of the Rebellion of Bohemia. Part 5. p. 712.

James. I. 1620. "to the lord Digby, who being preſent, can inform your excellency. His majeſty declared moreover, he was reſolved "to continue neuter for three reaſons. Firſt, becauſe his "conſcience obliged him to it. Secondly, becauſe his honour was concerned. Thirdly, not to give an ill example. "Upon the firſt reaſon he ſaid, he was ſure the religion he "profeſſed, did not allow that crowns ſhould be removed "from one head to another on account of religion: that our "church very juſtly oppoſed the principle of the jeſuits, who "take upon them to inthrone and dethrone kings according "to their fancy: that our religion enjoins us to obey our "princes and ſovereigns, though they ſhould be Turks or "Infidels: that the world was inclined to turn this to a religious war, to which his majeſty is entirely averſe. As "to the point of honour, the king ſaid, that being ſollicited "by the king of Spain to uſe all his intereſt to procure a "peace between the emperor and the Bohemian ſtates, and "this accident, of accepting the crown of Bohemia, happening whilſt his ambaſſador was in Germany mediating an "accommodation, he was obliged to make known his innocence, in order to ſave his honour: that if now he aſſiſted "his ſon-in-law in this affair, his actions would be directly "contrary to his proteſtation, which would be very diſhonorable. Upon the third reaſon, his majeſty declared, it was "a very dangerous precedent againſt all chriſtian princes, "to allow of the tranſlation of a crown by the peoples authority: that though he was king by hereditary right, "yet it could not be ſufficiently conſidered, how [illegible] this "miſchief might reach, if once it took root; and that this "example might very ſenſibly affect the king of Denmark "his brother-in-law, whoſe crown was elective: that as for "the privileges the Bohemians might have, in this caſe, by "the antient and fundamental laws of the kingdom, it would "be neceſſary to turn over many volumes, read abundance "of hiſtories, and carefully examine what their rights are, "before this point could be determined, with which he has "nothing to do, not being made judge of the diſpute." The "ſecond thing, concerning which the king declared himſelf, "was the affair of the Palatinate. Upon this point he firſt "informed his council, that he had omitted nothing, as well "by means of his ambaſſadors, as by his own mouth, in "ſpeaking to your excellency: that moreover, he had ſent "an ambaſſador to the German princes, who were concerned "in the affair, to remonſtrate to them, that ſince he had with "ſo much ſincerity and candor continued neuter, he had gre[illegible]

"reaſon,

" reaſon, on the other hand, to repreſent to them how much James I.
" he was concerned in the invaſion of the Palatinate, ſince 1620.
" he had given his daughter to the elector of Palatine, bonâ
" fide, whilſt that prince was in poſſeſſion of his dominions,
" and long before theſe troubles could be foreſeen: that at
" preſent, his grandchildren were lawful heirs to it, and it
" was neither juſt nor reaſonable to deprive them of their in-
" heritance, ſince they are not guilty, conſidering the ſin-
" cerity of the king their grandfather: that indeed, it cannot
" be denied, there was notice given from Spain, that the
" emperor would be forced to make this diverſion, to free
" himſelf from the oppreſſion he endured in Bohemia and Au-
" ſtria: that your excellency ſaid the ſame thing, which was
" confirmed by his ambaſſadors: that the invaſion being
" really made, nature obliged him to provide for the defence
" of his grandchildren by all poſſible and lawful ways: that
" the approaching winter allowed him to make two ſorts of
" preparations: firſt, to endeavour, that a peace may be
" concluded before ſummer; and if, as he hoped, the
" elector his ſon-in-law would be guided by him, and the
" emperor be willing to hearken to the overtures which
" would be made to him, he did not queſtion but a peace
" would enſue, and the calamities Chriſtendom was threat-
" ned with, both by a Turkiſh invaſion and an inteſtine war,
" would be happily prevented. But if the elector would be
" willing to yield to reaſonable terms, and the emperor re-
" fuſe to comply, in that caſe he would not loſe the oppor-
" tunity of the winter, to prepare for the defence of the Pa-
" latinate: and if, on the contrary, the elector remained ob-
" ſtinate, he would then leave him to his own counſels.

" After the king had thus ſpoken, it was debated in coun-
" cil concerning the means of defending the Palatinate, as
" the lord Digby could have informed your excellency. To
" conclude this letter, his majeſty commands me to aſſure
" you, upon the honour of a chriſtian king, that this is all
" that has paſſed in this affair either in public or private.
" He is perſuaded, not only your excellency, but the king
" of Spain alſo, will believe it, ſooner than all the informa-
" tions which through ignorance or malice may be given you
" from any other place."

The king's whole conduct, whether at the time this letter was writ or afterwards, agrees ſo exactly with the ſentiments therein expreſſed, that it would be in vain to queſtion its being

James I. 1620.

ing genuine [x]. It is certain, the king never intended to defend the Palatinate by arms, whilſt he had any hopes of concluding his ſon's marriage with the infanta. He uſed however that pretence to draw money from his ſubjects, and to ſend a letter ſigned by the council to all the nobility, and to the lord mayor of London, for benevolence [y]. But probably this method was unſucceſsful, ſo much were the people diſſatisfied with the government. At the very time he ſeemed deſirous to defend the Palatinate, invaded by the Spaniards, count Gondemar governed England by his influence over the king [z]. All who had any expectations from the court, were extremely careful not to offend him in any thing whatever, knowing how much it was in his power to prejudice ſuch as he was diſpleaſed with. Secretary Naunton failing on ſome occaſion to uſe this policy, loſt his place, which was given to Conway.

The king demands a benevolence for the defence of the Palatinate. Annals, p. 45. Ruſhworth, tom. i. p. 16. Gondemar rules the Engliſh court. Ruſhworth, tom. i. p. 18. Conway is made ſecretary of ſtate.

On the other hand, the marquiſs of Buckingham ruled in the king's name, without bearing the leaſt contradiction. He abſolutely diſpoſed of all offices, or rather his mother, ſince he could not deny her any thing [a]. As ſhe was extremely greedy of money, and a great bigot of the Romiſh religion, none were preferred but ſuch as could make large preſents to the favorite's mother, and were well inclined to Rome, or at leaſt indifferent in point of religion. Nay, places were frequently taken from thoſe who had paid dear for them, in order to diſpoſe of them to new purchaſers. Montague having given twenty thouſand pounds for the office of lord-treaſurer, was removed before the year expired [b], and Sir Lionel Cranfield put in his place, and created ſoon after earl of Middleſex [c]. Cranfield had been a merchant in London, and afterwards a cuſtom-houſe officer, from whence he was introduced into

Buckingham's mother is in great power. Wilſon. p. 727.

Cranfield is made lord-treaſurer. Ibid. Weldon. p. 141.

[x] The ſubſtance of this letter is in Ruſhworth, tom. i. p. 16.

[y] This circular letter is to be ſeen in Ruſhworth. Ibid.

[z] Ruſhworth obſerves, that he had the acceſs of a favorite, rather than of an ambaſſador from a foreign prince. Tom. i. p. 18.

[a] Gondemar perceiving moſt addreſſes were made to her firſt, and by her conveyed to her ſon, among other his witty pranks writ merrily in his diſpatches to Spain: "That never was "there more hope of England's con-"verſion to Rome than now; for "there are more prayers offered here "to the mother than to the ſon." Wilſon, p. 728.

[b] He was made lord-treaſurer December 4, 1620, and removed September 28, 1621. He was on December 4, created baron of Kimbolton, and viſcount Mandeville, and ſoon after earl of Mancheſter; upon reſigning his office of lord-treaſurer, he was made preſident of the council. Howes, p. 1034.

[c] He had married Anne daughter to James Bret of Hoxby in Leiceſterſhire, eſq; by Anne his wife, ſiſter to Mary Beaumont, counteſs of Buckingham. From the heireſs of his family is deſcended the duke of Dorſet. Dugdale's Baron. vol. ii. p. 446.

court

court as a projector: a name given to such as suggested to the ministers expedients to bring money into the king's exchequer, when there was no parliament. James I. 1620.

The marquis of Buckingham, about the end of the year, married the earl of Rutland's only daughter, the richest heiress in the kingdom. Some say, he debauched her before marriage, and the earl of Rutland sent him word, if he did not espouse her, the king's favour should not screen him from his revenge. Buckingham readily complied, since it was a very advantagious match for him. But as the young lady was bred a papist by her mother, she must, for form sake, be instructed by Dr. White, who, as it is pretended, made her a good protestant. However, she was brought by her mother-in-law into the old way again. Buckingham's marriage. Wilson. p. 728.

The affairs of the protestant religion in Germany and France were in a very ill situation. On the other hand, the king of Bohemia being driven out of his kingdom, saw himself upon the point of losing also the Palatinate. All the world murmured to behold the king's extreme indolence with respect to these two affairs, wherein he was particularly concerned as a father, as a king of England, and as a protestant. These murmurs produced at length a parliament. Not that the court's intent was to satisfy the people: but it was judged, since they were so desirous, that proper measures should be taken for the defence of religion and the Palatinate, the house of commons would be ready to grant the king an aid answerable to so important a design. A parliament was therefore summoned to meet on the 20th of January 1621 [d]. But the better to persuade the public the king was really bent upon a war, the council nominated, a few days before the parliament met, a certain number of the most noted lords and officers, who had orders to meet and give their opinion concerning the means of vigorously carrying on the war. The king feigns to take at heart the defence of the Palatinate. Rushworth, tom. i. p. 20. He calls a parliament to get money. Rushworth, tom. i. p. 21. Howes. Rushworth, tom. i. p. 27.

Mean while, as the people talked too freely of the king's and his ministry's conduct, they were forbid by proclamation to discourse of state-affairs. But this prohibition produced a quite contrary effect, it being hardly possible to stop people's tongues by such means. Proclamation to forbid people to talk of state affairs. Id. p. 21. Act. Pub. xvii. p. 275.

The king, no doubt, wished to preserve the Palatinate for his son-in-law. All he could be blamed for was, his taking 1621.

[d] It was summoned to meet on January 16. Journ. Procer. The king issued a proclamation, on November 6, wherein he ordered, that the knights and burgesses should be chosen of the gravest, ablest, and best affected mynds that could be found. —Persons approved for their sincerety in religion, and not noted, either for superstitious blindness, or turbulent humours.—Rymer's Fœd. tom. xvii. p. 370.

a wrong

James I. 1621.

a wrong courſe to that end. Amuſed, or as it were bewitched by Gondemar's charm, he believed the prince's marriage with the infanta was the moſt proper means, not perceiving that this marriage was only a decoy to deceive and hinder him from taking better meaſures. It will doubtleſs be thought ſtrange, that James ſhould ſuffer himſelf to be thus managed by a Spaniſh ambaſſador, in an affair which ſo much concerned the houſe of Auſtria: but it will be the leſs ſurprizing, if his ſituation be conſidered. Firſt, he had an averſion to war; and though he would have made believe, it was out of reaſon and choice, it is certain however, this averſion was ſo natural, that it was almoſt impoſſible for him to overcome it. In the next place, his opinion concerning the extent of the regal power, made him dread all occaſions of cauſing his prerogative to be queſtioned. If he engaged in a war, he muſt call a parliament, and the parliament had already convinced him, they were not of his ſentiment concerning the extent of the prerogative royal, of which he was ſo jealous. It is therefore no wonder, that of the two ways which offered to preſerve the Palatinate, namely, war and the prince's marriage, he ſhould chuſe that which was moſt agreeable to his temper and inclination. What is more ſtrange is, that in comparing theſe two ways, he ſhould be ſo blind as to think the marriage the eaſieſt and moſt proper, and would not ſee that it was only a ſnare to deceive him. On the other hand, he was not ſatisfied with reſolving to take this method rather than the other, but even affected to intimate to the houſe of Auſtria, that he ſhould not, till the laſt extremity, think of having recourſe to arms, and thereby marred all his affairs. The emperor and the king of Spain knew how to improve theſe wrong proceedings. Gondemar having eaſily diſcovered the king's ſcheme, failed not to encourage him to purſue it ſteadily, by putting him in hopes of ſucceſs. There was another and very ſtrong reaſon for Gondemar's keeping the king in this ſituation. The truce between Spain and Holland being about to expire, if the king ſhould reſolve to ſupport his ſon-in-law by arms, he would be able to make ſuch a diverſion in the Low-Countries, as would make Auſtria pay dear for the conqueſt of the Palatinate. For this reaſon chiefly the courts of Vienna and Madrid flattered him with the hopes of obtaining an honourable peace for the prince Palatine. But theſe were only words, which James, too credulous, took for deeds.

The reaſon of the king's taking wrong meaſures to ſave the Palatinate.

Though the king did not intend to declare war with Spain, he was very glad however that the people were inclined to ſupport

ſupport by arms the elector's intereſt. He hoped the parliament would grant him large ſums to enable him to make himſelf feared, and then he fancied, it would be eaſy for him to determine his ſon-in-law's affairs without drawing the ſword, and conſequently without employing the money which ſhould be given him by the parliament. Herein he meant to imitate his great-grandfather Henry VII. who often uſed this expedient to fill his coffers. But he ſhould alſo have imitated his addreſs in concealing his deſigns, whereas, on the contrary, James's intentions were known to all. James I. 1621.

The parliament being aſſembled, the king made a ſpeech to both houſes, which he divided into three heads. In the firſt, he told them what a parliament was, under colour of reminding them of ſo neceſſary and fundamental a point. The ſecond contained the reaſons of their meeting. In the third, he ſpoke of the grievances which the people thought to have cauſe to complain of, and endeavoured to juſtify his conduct. As this ſpeech is very long, I ſhall only cite ſuch paſſages as may ſerve to diſcover both the king's principles and deſigns. He begins thus; The parliament meets. Jan. 30. 1620-1.

"My lords ſpiritual and temporal, and you the commons.

"IN multiloquio non deeſt peccatum, ſaith the wiſeſt man "that ever was; and this experience I have found in "mine own perſon: for it is true there have been many ſeſ- "ſions of parliament before this, wherein I have made many "diſcourſes to the gentlemen of the lower houſe, and in them "delivered a true mirror of my heart; but as no man's ac- "tions are free from cenſure, in regard of the excellency of "perfection, ſo, it may be, it pleaſed God, ſeeing ſome va- "nity in me, to ſend back my words as wine ſpit into my "own face, ſo as I may truly ſay, "I have piped unto you, "and you have not danced; I have mourned, and you have "not lamented." The king's ſpeech. Wilſon. Annals of James I. p. 47. Ruſhworth, tom. i. p. 21. Nalſon's Introduct.

Concerning the conſtitution of a parliament.

"What is a parliament? It is an aſſembly compoſed of a "head and a body; the monarch is the head, and the three "eſtates[e] the body, which are called in a monarchy a parlia-

[e] As in the following reign there were great diſputes, whether the biſhops were a ſtate or a body apart by themſelves in the parliament, each ſide grounded their aſſertion upon theſe words of this ſpeech; the one affirming the king ſaid, the Three Eſtates, and the other maintaining, he mentioned only Two Eſtates. This is the reaſon of the difference which occurs in the ſeveral copies. Ruſhworth and Wilſon have Two Eſtates. Franklyn, Nalſon, &c. Three Eſtates.

"ment,

James I. 1621. "ment, which was uſed and created by monarchs; for "kings were before parliaments, who as ſoon as they had "ſettled a form of government, and were willing that the peo-"ple ſhould be governed by laws, called their parliaments, "&c.—Only this I would have you to obſerve, that it is a "vain thing for a parliament to preſs to be popular; there is "in no ſtate a parliament without a monarchy.—This I put "you in mind of that you ſerve under a monarchy, and "that we muſt ſtand and fall with it. Now conſider, firſt, "Who called you? Your king. Secondly, Whom he calls? "The peers, who in reſpect of the eminency of their places "and highneſs have an intereſt therein by birth and inheri-"tance, becauſe they are to aſſiſt the king in his great affairs. "In the next, the church, the clergy, not all, but the prin-"cipal heads thereof, the biſhops.—The knights ſtand for "the ſhires, and the other gentlemen for the burroughs; of "theſe is the whole body compact.

"Thirdly, Why are ye called? To give the king your "advice in ſuch errands as he ſhall aſk of you, or you ſhall "think fit to aſk his advice in.

"The king makes laws, and ye are to adviſe him to make "ſuch as will be beſt for the commonwealth. There is ano-"ther cauſe for which the houſe of commons is called, for "that they beſt know the particular eſtate of their country; "and if the king ſhall aſk their advice, they can beſt tell "what is amiſs, as being moſt ſenſible, and alſo petition "him to redreſs and amend it: they are the authors of ſuſ-"tenance alſo to him, to ſupply his neceſſities; and that is "the proper uſe of a parliament. Here they are to offer what "they think fit to ſupply his wants, and he is in lieu there-"of to afford them mercy and juſtice.

"And this I dare boldly ſay, and am not aſhamed to ſpeak "it, that all people owe a kind of tribute to their king, as a "thankfulneſs for his love to them; and where there is this "ſympathy between a king and his people, it breeds a happy "parliament."——

Concerning religion.

"As for religion there are laws enough, ſo as the true in-"tent and execution follow.——

"As touching the rumour which is ſpread, that I ſhould "tolerate religion in reſpect to the match which hath been "long in treaty with Spain for my ſon; I profeſs I will do "nothing therein which ſhall not be honorable and for the

"good

" good of religion, elſe am I not worthy to be your king; James I.
" and if any thing break off this match, it ſhall be the cauſe 1621.
" of religion. The trial which you have had of my words
" and writings, wherein I have been a martyr, tortured in
" the mouths of many idle fellows, may give you ample
" teſtimony of my integrity, in ſuch ſort, as I hope you
" will truſt the wiſdom of your king ſo far, as I will never
" do one thing in private and another in public: " but if
" after this my declaration any ſhall tranſgreſs, blame me not
" if I ſee them ſeverely puniſhed."

Concerning the reaſons of calling the parliament.

" Now the major errand (I ſpeak the truth) for which I
" have called you, is for a ſupply of my urgent neceſſities
" in urgent cauſes; ye can all bear me witneſs, that I have
" reigned above eighteen years among you; if it hath been a
" fault in me that you have been at peace all this time, I
" pray you pardon it; for I took it for an honour unto me,
" that you ſhould live quietly under your vines and fig-trees,
" reaping the fruits of your own labours, and myſelf to be a
" juſt and merciful king among you. You have not been
" troubled with preſſing of men, nor with other inconveni-
" ences which the diſaſters of war produce, and yet in theſe
" eighteen years have I had leſs ſupplies than any king be-
" fore me. The late queen of famous memory, was ſo far
" ſupplied in her time, that it grew to an annual contribu-
" tion of one hundred thirty-five thouſand pounds a year: I
" [illegible] never above four ſubſidies and ſix fifteenths. I chal-
" lenge not more of deſert than ſhe; but ſure I am, I have
" [illegible]ed as peaceably. The time ſince my ſupply hath
" been as the time of women with child, " Quæ decem
" tulerint faſtidia menſes," " who after ten months longings,
" are delivered of their burthens; but I have travailed ten
" years, and therefore full time to be delivered of my
" wants.

" Now you have ſeen a trial of my late care in divers
" years laſt paſt in looking into the particulars of my eſtate,
" wherein I muſt confeſs I have found my revenue (as Job's
" friends) forſaking me, [In my houſhold expences I have
" abated ten thouſand pounds per annum; in my navy I have
" abated twenty-five thouſand pounds; and ſhortly I hope to
" abate ten thouſand pounds more. In my ordinary I have
" brought the expence from thirty-four thouſand to fourteen
" thouſand pounds] and yet I was loth to believe at firſt that

theſe

James I. 1621.

"theſe were ſo much out of order; but at laſt, by the information of ſome private gentlemen, I was induced to enter into a particular ſurvey; and herein was the love of my young admiral to me, as he took the envy of all upon himſelf for my ſake: And though he be but young, yet I find him true in faith, and an honeſt man, and hath had the beſt ſucceſs in all he hath taken in hand: He appointed under himſelf divers commiſſioners, as a young commander ſhould do, the better to preſerve himſelf from errors, and yet ſought no reward but my good and ſervice, nevertheleſs went through with great diligence and good ſucceſs: And therefore I hope the kingdom ſhall ſay I have now a true care of my eſtate, not taking from others by violence, houſe or land, but governing my own with good huſbandry."

Concerning the affair of Bohemia, he ſaid much the ſame things as the marquis of Buckingham writ in his letter to count Gondemar, after which he added:

"I am now to take for a worſe danger againſt next ſummer, albeit I will leave no travel untried to obtain a happy peace; but I thought good to be armed againſt the worſe time, it being beſt to treat of peace with the ſword in my hand: Now I ſhall labour to preſerve the reſt of the Palatinate, wherein I declare, That if by fair means I cannot get it, my crown, my blood, and all ſhall be ſpent, with my ſon's blood alſo, but I will get it for him; and this is the cauſe of all, that the cauſe of religion is involved in it, for they will alter religion where they conquer, and ſo perhaps my grandchild may ſuffer who has committed no fault at all. But this is nothing without a ſpeedy ſupply, "Bis dat qui citò dat."

"Conſider who it is that moves you? your king; and the care of the reformation, and the charges which he hath diſburſed, beſides forty thouſand pounds upon the pyratical wars; and conſider if I deſerve not your reſpects?

"It is ſtrange that my mint hath not gone this eight or nine years, but I think the fault of the want of money is in the uneven ballancing of trade; for other things I confeſs I have been liberal, but the main cauſe of my wants has been the ill government of thoſe whom I have truſted under me, for I will not make every day a Chriſtmaſs; and yet it may be in ſome grants I have hurt myſelf, and in others my ſubjects; but if I be truly informed, I will rightly reform them.

"But

" But for you to hunt after grievances to the prejudice of James I. " the king and yourſelves, is not the errand: Deal with me 1621. " as I ſhall deſerve it at your hands: I will not leave any " thing undone that becomes a juſt king, if you deal ac- " cordingly."

" I know this parliament hath been of great expectation, " and ſo was that at my firſt coming: You I knew, but " not the laws and cuſtoms of this land. I was led by the " old counſellors I found, which the old queen left, and it may " be there was a miſtaking and miſunderſtanding between " us which bred an abruption. And at the laſt parliament " there came up a ſtrange kind of beaſt called Undertakers [f], " a name, which in my nature I abhor, which cauſed a " diſſolution.

" Now you have that advantage that I call you out of my " own free motion, and my truſt is in your good offices; " For my good ſtates, even all and every one ſhall find an " honeſt king of me.

" How happy a fame will that be, that he is reverenced " and loved of all his people, and he reciprocally loves them. " So ſhall I then be honoured by my neighbour princes, and " peradventure my government be made an example for poſ- " terity to follow [g]."

Many remarks and reflections might be made upon this ſpeech; but as that would lead me too far, I ſhall content myſelf with making one ſingle obſervation. This ſpeech contained ſome maxims concerning the regal power, which certainly the Engliſh in general did not then admit, as they do not even at this day. If ſince king James's acceſſion, the parliament, or the commons in particular, had endeavoured to incroach upon his prerogative, it might not be thought ſtrange that he ſhould let them know his reſolution to maintain it, and mark out the bounds they were not to exceed. But if we conſider what paſſed in the two firſt parliaments of this reign, the commons did not begin to attack the king, but the king himſelf gave the parliament cauſe to complain. And ſuppoſing the grievances complained of by the lower-houſe were groundleſs, to repreſent them to the king was no at- Remarks on this ſpeech.

[f] Theſe were the earl of Somerſet, and ſome others, who undertook to procure the king a parliament at his devotion.

[g] This ſpeech is taken out of the Annals of king James I. For the author pretends, that in Wilſon is not the true one. Rapin.——Neither Rushworth's, nor Wilſon's, nor Franklyn's ſeem to be the true ſpeech; but that in Nalſon's Introduction.

James I. 1621. tempt upon the prerogative royal; and yet this was the only reaſon of diſſolving the two firſt parliaments. It appears moreover, not only in this to the preſent parliament, but alſo in his former ſpeeches, that he made his prerogative to conſiſt in an unlimited power, ſince he ſaid in expreſs terms, "That as to diſpute what God may do, is blaſphemy; ſo is "it ſedition in ſubjects to diſpute what a king may do in the "height of his power[h]." Hence it was eaſy to infer, he ſet no bounds to the prerogative-royal.

The parliament grants the king money. Coke, p. 111.

The occaſion of calling the parliament was ſo plauſible, that the commons eaſily perceived, if they began, according to cuſtom, with the conſideration of the grievances before they gave the king money, he would not fail to ſay, that a delay in ſo important a juncture was the ſame as a denial. The people were extremely incenſed againſt Spain for invading the Palatinate. They dreaded the prince's marriage with the infanta, and the deſtruction of the proteſtant religion abroad. So to deny the king money on this occaſion, would be juſtifying his indolence. Some members, however, believing the king had no deſign to make war, were deſirous to ſpare the people's purſes. But the reſt demonſtrated to them, the neceſſity of ſacrificing a ſum of money, whether the king employed it in defence of the Palatinate, or put it to other uſes. In the firſt caſe, the public would have what they wiſhed, and the money given the king, would be only a ſmall part of what was farther to be expended in ſupport of the war. In the ſecond caſe, the king's intentions would be manifeſtly known, and that would afford a juſt motive to refuſe him money hereafter for imaginary undertakings. So, without any ſollicitation, the commons granted the king two entire ſubſidies[i], with which he was ſatisfied, in expectation of obtaining much more hereafter on the ſame account.

Digby is ſent to Vienna. Wilſon, p. 731.

Not long after, the king ſent the lord Digby to Vienna, to endeavour to adjuſt the elector Palatine's affair, or at leaſt, to obtain a truce, which ſhould ſecure the Palatinate from the danger it was threatened with in the next campaign. I ſhall ſpeak of this negotiation, after the recital of what paſſed in the parliament.

Complaints to the parliament againſt monopolies. Ibid.

The ſubſidy act was no ſooner paſſed, but many petitions were received by the houſe of commons, as well againſt the increaſe of popery, and impunity of recuſants, as againſt monopolies, informers, or projectors. Of the monopolies, three

[h] See the king's ſpeech to the lords and commons at Whitehall, March 21, 1609, in his own works, p. 531.

[i] And the clergy three, Coke, p. 111.

were

were chiefly complained of. The firſt was concerning inns, which no man could keep without a licence from certain perſons, to whom the king had granted a patent. The ſecond was of the ſame nature with reſpect to ale-houſes. The third was the moſt enormous. It was a patent granted by the king to Sir Giles Monpeſſon and Sir Francis Michel, for the ſole making and ſelling of gold and ſilver lace. By this means, they ſold great quantities of counterfeit gold lace inſtead of real, and if any perſon preſumed to make or ſell any other, he was thrown into gaol, and fined ſeverely [k]. The two patentees being informed againſt in the houſe of commons, were immediately committed to priſon; but Monpeſſon, Buckingham's creature, found means to make his eſcape. As ſoon as he was ſafe, the king publiſhed a proclamation, promiſing a reward to any perſon that ſhould take him.

James I. 1621.

Coke, p. 111. Monpeſſon and Michel are carried to the houſe of commons, and impriſoned. Monpeſſon eſcapes. Coke. Ruſhworth.

Mean while, the two houſes applied themſelves cloſely to the affair of monopolies. The commons would know how theſe two perſons obtained their patent, whilſt the lords were diligently forming their proceſs. In the mean time, the king was very uneaſy. He ſaw the affair was examining in ſuch a manner, that the odium could not but fall upon himſelf or favorite. Wherefore, to prevent the conſequences, he came to the houſe of lords, and made a ſpeech full of tender and affectionate expreſſions. He affirmed, he was ignorant of the ill effects his patent had cauſed, and charged them to bring the offenders to ſpeedy and ſevere juſtice: adding, his intention was to revoke all his patents which had been ſo injurious to the people, and particularly that of gold and ſilver lace, which was a kind of falſe coin. He exhorted them, moreover, to diſpatch the bill they were preparing againſt informers and projectors, ſaying he had before, in the ſtar-chamber, ſhown his diſlike of ſuch people, and to be rid of them would be the greateſt eaſe to himſelf, and all thoſe about him. "For, continued he, Buckingham told me he never found "ſuch quiet and reſt as in this time of parliament from pro-"jectors and informers, who at other times miſerably vexed "him at all hours." In ſhort, he told them, he thought till then the people had never been ſo happy as in his reign; but now he was aſhamed to conſider how his people had been vexed and polled, by the vile execution of projects,

Wilſon, p. 731.

The king's ſpeech to the lords. Ruſhworth, p. 24. Wilſon. Annals.

[k] The lace was made of copper, and other ſophiſticated materials, which were of ſo poiſonous a nature, that they rotted the hands and arms, and brought lameneſs and blindneſs upon thoſe that wrought this compoſition. Wilſon, p. 731.

James I. 1621.

patents, bills of conformity, and the like, which have more exhauſted their purſes than ſubſidies would have done. Having thus obviated the complaints which could be made againſt him, by condemning firſt the occaſion of them, he taught the lords how they were to proceed in equitably judging the matters before them, namely, not to ſuffer themſelves to be carried away with an inconſiderate zeal for juſtice, in hearkening to thoſe who accuſed the innocent as well as the guilty.

He tries to screen Buckingham. Wilſon, p. 734. Cabala.

Every one knew that he meant to hinder the marquiſs of Buckingham from being attacked, who was reckoned the chief author of the monopolies. He had indeed the ſatisfaction to ſee that the parliament did not carry this affair very far. But though he had ordered his ſpeech to be printed, and diſperſed, he could not hinder reflections to his diſadvantage. For inſtance, he ſaid in his ſpeech, that "he aſſured them in the heart of an honeſt man, and by the faith "of a chriſtian king, if theſe grievances had been com"plained of to him before the parliament, he would have "puniſhed them more ſeverely than perhaps the parliament "intended to do;" and yet he was contented with abandoning Monpeſſon and Michel, whilſt he deſired the perſon who procured them their patent ſhould be left unmoleſted.

Monpeſſon's and Michel's ſentence, Wilſon. Annals, p. 57. Ruſhworth, t. i. p. 27.

However, the lords were ſatisfied with puniſhing Monpeſſon and Michel. They confiſcated Monpeſſon's eſtate, who had made his eſcape, and degraded him of his knighthood [1]. Michel was likewiſe degraded, fined a thouſand pounds, impriſoned for life, and carried on horſeback with his face to the tail, through the public ſtreets in London.

Chancellor Bacon is accuſed. The king exhorts the lords to do juſtice. Weldon. Wilſon. Ruſhworth, p. 28.

Shortly after, the king hearing complaints were brought before the peers againſt chancellor Bacon, came to the houſe of lords, and ſending for the commons, made a ſpeech, wherein he chiefly inſiſted upon the neceſſity of puniſhing corruption and bribery in judges. Then he thanked the commons for the two ſubſidies, but ſaid, the money had been employed before-hand for the defence of the Palatinate, and maintenance of his children, who were fled to Holland for refuge: That he had procured a ſhort truce, and hoped ſoon to obtain a general peace; but the great charges of ſending ambaſſadors over all Europe, or an army into the Palatinate in caſe his negotiations became fruitleſs, required a much larger ſum than what had been granted him. He concluded, with

He demands money.

[1] And alſo out-lawed, and condemned him to perpetual baniſhment. See Ruſhworth, tom. i. p. 27.

pro-

proteſting before God, he would not diſſolve the parliament till the affairs in agitation were finiſhed. James I. 1621.

Mean while, the houſe of commons having demanded a conference of the lords, repreſented to them, that the chancellor being accuſed of ſeveral crimes, it was not fit he ſhould continue any longer in ſo eminent a poſt if he was guilty, or be expoſed to calumny if innocent. Whereupon the lords ſent the chancellor to the Tower, and prepared for his trial. He uſed all poſſible endeavours to avoid the ſhame of a particular and full confeſſion. To that end, he preſented an humble ſubmiſſion to the houſe, confeſſing himſelf guilty in general, and imploring pardon, or at leaſt, that his puniſhment might not extend farther than the taking from him the great ſeal. But the lords were inexorable. They required him to confeſs the particulars of the charge, which conſiſted in the enumeration of ſeveral bribes he had taken. He was ſo very expreſs, that he confeſſed, one of his ſervants took a dozen of buttons as a gift, in a cauſe depending before him [m]. But this confeſſion, however full and plain it was, did not hinder him from being declared unworthy, not only of the office of chancellor, but even of having a place for the future in the houſe of peers [n], though he had been created baron of Verulam, and viſcount of St. Albans [o]. Nay, he was like to have been deprived of this dignity [p]. He was a very great genius, and one of the moſt learned men in Europe, but a ſervile flatterer, extremely haughty whilſt fortune ſmiled upon him, and cringing when ſhe frowned. After his diſgrace, he compoſed ſeveral works, and amongſt others, the Hiſtory of king Henry VII. to whom certainly he has not given a juſt character. This is not ſurpriſing; for as his eſtate was forfeited by the ſentence paſſed upon him, and as he lived only on a penſion from the king, who always ſpoke of Henry VII. his great grandfather with high commendations, he made his

He promiſes not to diſſolve the parliament.

The commons deſire Bacon may be tried. Wilſon, p. 734. Annals, p. 53.

He confeſſes himſelf guilty in general. Ruſhworth, t. i. p. 29.

He is forced to make a particular confeſſion.

He is turned out of his office in the houſe of peers. Howes. Wilſon, p. 735.

His character. Weldon, p. 133.

Remarks on his hiſtory of Henry VII.

m That dozen of buttons was valued at 5cl. The reader may ſee an account of the proceedings againſt him, (which continued from March 15, to May 3.) in State-Trials, tom. i. p. 353, &c.

n He was alſo condemned in a fine of 40,000 l. to be impriſoned during the king's pleaſure; and declared for ever incapable of any office or place. State-Trials.

o He was created ſo July 11, 1617. Rymer's Fœd. tom. xvii. p. 17.

p To heighten his miſery the more, many others were cruſhed by his fall, for he was vaſtly in debt, and notwithſtanding his penſion, he wanted to his laſt, living obſcurely in his lodgings at Grey's-Inn. Wilſon, p. 735.——His too great indulgence to his ſervants, was the cauſe of his ruin; he connived at their takings, and they were profuſe and expenſive, and had a command whatever he was maſter of. His decrees in chancery, were generally made with ſo much equity, that never was any one of them reverſed as unjuſt. Ruſhworth, tom. i. p. 31.

James I. 1621. court to the king, by repreſenting that prince as a pattern of wiſdom and virtue [q].

Origin of the two parties, known by the name of Tories and Whigs.

It was properly in this third parliament that two parties were formed, the one for the court, the other for the people, who began from this time to oppoſe one another on all occaſions. The people had the ſtrongeſt party among the commons, and the king in the houſe of lords. Not but that the kings had always their adherents in both houſes, and the miniſters and favorites their enemies and enviers. But till this parliament, there were not properly any formed parties, or, if any, they were not long-lived. But thoſe that began to be formed this year, continually increaſed. Theſe are the ſame parties which ſtill ſubſiſt, under the names of Tories and Whigs; the firſt of which labours inceſſantly to ſtretch the prerogative royal as high as poſſible, when favoured by the king; and the other is always inſiſting on the rights and privileges of the people. The mutual animoſity of theſe two parties, when firſt they were formed, was nothing in compariſon of what it is at this day. When all parliamentary affairs came to be tranſacted with a ſpirit of party, every thing tended by degrees to confuſion. As one of the parties was always ready to increaſe the king's power, the others uſed their utmoſt endeavours, not only to keep it within due bounds, but alſo to leſſen it, for fear the king's prerogatives might ſerve him for ſteps to mount higher. Thus both went too far. James I. gave birth to theſe two parties, (who occaſioned ſo many calamities to England and his own family) by haughtily eſtabliſhing prerogatives, which perhaps would never have been queſtioned, had he not founded them upon principles that opened a door to arbitrary power. He met however, with great oppoſition, not only in the houſe of commons, but among the peers themſelves, ſeveral of whom did not ſcruple to contradict him openly. Of this number were the earls of Eſſex, Oxford, Southampton, and Warwick; the lord Say and Seal, the lord Spenſer, and ſome others. It was then become cuſtomary, that when one lord had ſpoken for or againſt the government, he was anſwered by another of the oppoſite party, and very often with a heat and paſſion unbecoming the dignity of the houſe. One day,

Wilſon, p. 736.

[q] He was of a middling ſtature, his countenance indented with age, before he was old; his preſence grave and comely, of a high-flying and lively wit, ſtriving in ſome things to be rather admired than underſtood; yet ſo quick and eaſy where he would expreſs himſelf, and his memory ſo ſtrong and active, that he appeared the maſter of a large and plenteous ſtore-houſe of knowledge. Wilſon, p. 736.

as the lord Spenſer was ſpeaking about the government, and alledging ſeveral examples of their great anceſtors, Arundel ſuddenly interrupted him, ſaying, "My lord, when theſe "things you ſpeak of were doing, your anceſtors were keeping ſheep[r]." Spenſer inſtantly replied, "When my anceſtors (as you ſay) were keeping ſheep, yours were plotting "treaſon." Whereupon the houſe ordering them both to withdraw, it was reſolved, in ſpite of the moſt zealous courtiers, that the earl of Arundel, as aggreſſor, ſhould give the lord Spenſer ſatisfaction, which he refuſing, was ſent to the Tower, and not releaſed till he had ſubmitted to the commands of the houſe. James I. 1621. Quarrel between Arundel and Spenſer. Wilſon. p. 737.

Mean while, the commons finding the king made no preparations for war, but only ſent Digby to the emperor, were not forward to give him a freſh ſupply, eſpecially as they knew the two ſubſidies already granted had been put to other uſes. They were not ignorant moreover, that the king built all his hopes upon the Spaniſh match, and conſequently would not eaſily reſolve to take up arms againſt the houſe of Auſtria, and the more, becauſe Gondemar had ſtill a great influence over him. The truth is, had the king really intended to wreſt from the Spaniard what was taken from the Palatinate, it was not natural for the Spaniſh ambaſſador to have ſo much power at court. The people were extremely diſpleaſed with it, and looked upon the Spaniſh marriage as a very great misfortune to the nation and the proteſtant religion. Of this they gave Gondemar himſelf a ſenſible proof, who was reviled and inſulted by the populace in London ſtreets[s]. The king hearing of it, ordered one of the inſolent mob to be publicly whipt by the hangman. The commons delay granting the king money Wilſon. p. 737. Gondemar inſulted by the people. Ruſhworth. t. i. p. 34.

The king perceiving the commons would never think of granting him a freſh aid, before it was more certainly known whether there would be peace or war, ordered the Lord-treaſurer to go in his name, on June 4, and adjourn the parliament to the 14th of November. The ſpirit of jealouſy, The king orders the parliament to be adjourned. Annals. p. 55.

[r] The lord Spenſer, it ſeems, took great delight in a country life, and eſpecially in flocks of ſheep, which made Wilſon ſay, "He was more vigilant to keep the people's liberties "from being a prey to the incroaching "power of monarchy than his harmleſs and tender lambs from foxes, and "ravenous creatures," p. 737.

[s] Gondemar uſed all poſſible methods to weaken this nation. For he cauſed ordnance, and other warlike proviſions, to be conveyed from England, to furniſh the Spaniſh arſenals. And procured underhand, the ſending of Sir Robert Manſel into the Mediterranean, to deſtroy the Algerines, which ſecured the Spaniſh coaſts and ſhipping, and diverted to another uſe, that money and ſtrength which ſhould have been employed for the defence of the Palatinate. Ruſhworth, tom. 1. p. 34.

James I. 1621. which then reigned among the commons, cauſed them to conſider the adjournment as an incroachment upon their priviledges. They pretended, the king had indeed power to prorogue and diſſolve the parliament, but that adjournment was the peculiar privilege of each houſe. So they deſired a conference with the lords, to perſwade them to concur with them in preſenting a petition to the king upon the occaſion. But the king acquainting the lords, that ſuch a petition would be very diſpleaſing to him, and that he would not ſuffer his power to call, adjourn, prorogue, and diſſolve the parliament, to be diſputed, the lords refuſed to join with the commons. Whereupon the commons declared, that they were extremely concerned at the king's reſolution, becauſe it deprived them of the means of finiſhing what was begun for the public good.

The commons think it a breach of privilege. Coke, p. 111. Ruſhworth. t. i. p. 35. The lords refuſe to join with the commons.

This declaration brought the king to the houſe of peers, and after thanking their lordſhips for acknowledging his prerogative, and refuſing to join with the commons, he told them, if they deſired it, he would grant them a delay of eight or ten days, but would not do it at the requeſt of the commons. Upon this offer, the lords after a conference with the commons, moved the king to continue their ſitting for fourteen days, which was granted. Some days after, a committee of both houſes attending the king, he took occaſion to tell them, how ill he took it that the commons ſhould diſpute his undoubted right to adjourn the parliament. Probably, this power was not confirmed by cuſtom, ſince the commons conſidered it as an invaſion of their privileges, whereas they never thought of queſtioning his right to prorogue and diſſolve the parliament. Be this as it will, the commons, ſeeing the lords, who were equally concerned in the affair, refuſe their concurrence, proceeded no farther. Nevertheleſs, on the day they were to break up, they drew the following declaration, "That taking into moſt ſerious conſideration the "preſent ſtate of the king's children abroad, and the ge- "nerally afflicted eſtate of the true profeſſors of the ſame "chriſtian religion, profeſſed by the church of England in "foreign parts, and being touched with a true ſenſe and "fellow-feeling of their diſtreſſes, as members of the ſame "body, they do with unanimous conſent declare——they "ſhall be ready to the utmoſt of their power, both with "their lives and fortunes, to aſſiſt his majeſty ſo, as that he "may be able to do that with his ſword, which by a peace- "able courſe ſhall not be effected."

The king gives them leave to ſit a fortnight longer. Ruſhworth. Ibid.

The commons declaration for the defence of the Palatinate. Wilſon. p. 737. Ruſhworth. t. i. p. 36. Annals. p. 56.

Pre-

Presently after, the king published a proclamation, wherein he set forth, That as many great affairs debated in parliament, could not be brought to perfection in so short a time, "the commons thought it convenient to continue the same "session in course of adjournment:" That as for the grievances, they were such as he needed not the assistance of parliament to reform the same, and would have redressed them himself, had they been sooner made known to him. Adding, that by his own regal authority, he annulled and revoked the patent for gold and silver thread, and some others mentioned in the proclamation. At the same time a second proclamation was published against such as were so bold as to talk of state-affairs, notwithstanding his majesty's former command, with threats of severe punishment, as well against the concealers of such discourses, as against audacious tongues and pens. James I. 1621.

Proclamation to revoke divers monopolies. Rushworth. t. i. p. 36.

Another against talking of state affairs. Coke. Rushworth. t. i. p. 36.

On the 20th of July, John Williams dean of Westminster was sworn lord-keeper of the great seal of England, the chancellorship having been vacant ever since Bacon's condemnation.

Williams made lord keeper. Hacket.

I must now briefly relate what passed in Bohemia and the Palatinate, after the battle of Prague. This knowledge is absolutely necessary for the clear understanding of the affairs of England.

The day after the battle, the city of Prague surrendered at discretion, and the duke of Bavaria returned to Munich, leaving his army in Bohemia under the command of count Tilly his general. On the other hand, count Bucquoy departed the 12th of December for Moravia, which voluntarily submitted, as despairing of assistance. After Bucquoy had spent part of the winter in Moravia and at Vienna, he went and commanded the imperial army in Hungary, where he was slain, after some progress. A little before, Silesia had likewise submitted to the emperor.

Affairs of Bohemia. Hist. of the rebellion of Bohemia.

Mean while, count Mansfeldt had fortified himself in Bohemia, from whence the imperialists would have found it difficult to drive him. But the king of Bohemia, who was still in Holland, hearing the duke of Bavaria was preparing to invade the Upper Palatinate, caused Mansfeldt to march his army thither, having obtained of the Hollanders a hundred and fifty thousand florins to pay his troops. Mansfeldt was not however in condition to withstand Tilly, who being entered the Upper Palatinate with twenty-five thousand men, had taken Bamburgh and some other places. Mean while, as Mansfeldt had intrenched himself behind a morass, where it

Mansfeldt marches into the Upper Palatinate.

He makes a treaty with Tilly.

James I. 1621.

it was impracticable to attack him, count Tilly, to make him quit the country, concluded a treaty with him, by which he promiſed to ſupply him with two hundred thouſand florins. The treaty was concluded the 27th of September 1621, but ſome difficulty ariſing, it was not executed. So Mansfeldt kept his poſt till the lord Digby's arrival, who paſſing that way in his return from Vienna, prevailed with him to march into the Lower Palatinate, which was in extreme danger. By that means the Upper Palatinate was really loſt and ſubdued by the duke of Bavaria.

Hiſt. of the rebellion of Bohemia. p. 805, but to no purpoſe.

The Upper Palatinate is loſt.

Affairs of the Lower Palatinate. Ibid.

In the year 1620, Spinola, as I ſaid, began his conqueſts in the Lower Palatinate. Since the ſubmiſſion of the king of Bohemia's allies to the emperor after the battle of Prague, Spinola had continued his conqueſts with rapidity, for there was no army to ſtop him, and the Engliſh were too weak to oppoſe his progreſs. However on the 2d of Auguſt 1620, a five weeks truce was concluded at Haguenau, which was the truce mentioned by king James in his ſpeech to the parliament. The archduke had made him believe he agreed to the truce purely on his account, but in reality it was only to give the emperor time to ſend forces into the Lower Palatinate in the room of thoſe, Spinola was leading back to the Netherlands, becauſe of the expiration of the twelve years truce between Spain and Holland. Spinola leaving but very few troops with Don Gonſales de Cordova, who was to command in the Palatinate, the truce was as much for the Spaniard's advantage as for the king of Bohemia's. Shortly after, the Spaniſh army being grown ten thouſand ſtrong, Vere was forced to retire to Wormes. Mean while, the Spaniſh general became maſter of Stein, Ladenburg, and Keiſers-Lautern, and in October beſieged Frankendal, where Vere had retired. There was no other way to ſave that important place, than, as I ſaid, by cauſing Mansfeldt to come from the Upper Palatinate. Upon Mansfeldt's approach, Gonſales raiſed the ſiege of Frankendal. But preſently after, Tilly arriving in the Lower Palatinate with the Bavarian army, and ſome troops of Mentz and Wirtzburgh, Mansfeldt was forced to retire into Alſatia. This campaign ended with the loſs of all the towns in the Lower Palatinate, except Manheim, Heidelbergh, and Frankendal, which were the moſt important. Vere continued at Frankendal, Herbert commanded in Manheim, and Burroughs in Heidelbergh.

Rushworth, t. i. p. 23.

Coke.

Siege of Frankendal.

Mansfeldt goes and raiſes the ſiege.

Tilly arrives Mansfeldt retires.

Philip III. died.

Philip III. king of Spain died the 31ſt of March this year, and was ſucceeded by his ſon Philip IV.

In

In France, Lewis XIII. vigorously preſſed the Huguenots and inveſted Montauban, but the long reſiſtance of the beſieged, compelled him to deſiſt. James I. 1621.

The twelve years truce between Spain and the United Provinces being about to expire, the archduke was afraid James would ſend a ſtrong aid to the ſtates, in order to oblige the Spaniards to reſtore what was taken in the Palatinate. To divert him from ſuch a thought, he intimated to him, that a peace between the elector Palatine and the emperor was not ſo difficult as was imagined, and the emperor doubtleſs would agree to it upon reaſonable terms. Nay, he ſent the emperor in the elector's behalf a very preſſing letter, which was ſhown to the king. This was attacking him on his weak ſide: for he was ever of opinion, that juſtice, honeſty, and the regard the world had for him, were ſufficient to determine this affair. To inſnare him the more eaſily, the emperor writ to the archduke, that at his inſtances and out of his great reſpect to the king of England, he was ready to embrace all proper methods for a peace with the elector Palatine. On the other hand, the king of Spain told the emperor, that if he gave the Upper Palatinate to the duke of Bavaria, as was reported, he muſt expect no farther aſſiſtance from Spain. All theſe letters were communicated to the king or his ambaſſadors, which confirmed him in his opinion, that there would be no occaſion for war, and to ſhow the leaſt miſtruſt would ſpoil all. Thus the princes of the houſe of Auſtria amuſed the king, to induce him to remain in his fatal neutrality. Upon theſe hopes therefore, without queſtioning in the leaſt their ſincerity, he diſpatched the lord Digby to Vienna, the ſucceſs of whoſe negotiation I muſt now relate.

Cabala, p. 240. Siege of Montauban. James is amuſed by the archduke, and by the emperor. Annals.

This ambaſſador having an audience of the emperor the 15th of July, confined his demands to theſe two heads. Firſt, that the elector Palatine ſhould be reſtored to the ſame ſtate he was in before he was choſen king of Bohemia. Secondly, that the imperial ban ſhould be revoked, or at leaſt ſuſpended, for which the king his father-in-law would undertake to oblige him to give the emperor due ſatisfaction.

Succeſs of Digby's embaſſy. Du Cheſne. Ruſhworth. t. i. p. 37. Annals.

The emperor, who only ſought to gain time, anſwered in writing, that at the requeſt of the king of England, and ſome other princes who had writ to him in the Palſgrave's behalf, he was ready to pardon him. That the difficulty of the affair conſiſted in two principal points, the firſt was, that the Palſgrave ſhould pay him the obedience due to the head of the empire, the ſecond, that he ſhould give him a reaſonable ſatisfaction. As this was exactly James's ſcheme

for

James I. 1621. for an accommodation, a peace ſeemed not to be very remote. But the term, ſatisfaction, being capable of a more or leſs extenſive meaning, it was eaſy for the emperor to prolong the negotiation, as he pleaſed. However, for fear he ſhould be taken at his word, he added in his anſwer, that as he had undertaken the war with the advice and aſſiſtance of divers princes, he could do nothing without their conſent, but had called a diet at Ratisbon, the reſolutions whereof ſhould be communicated to the king of England. It muſt be obſerved, this diet did not meet till January 1623.

Death of the archduke. Ibid.

A few days after the emperor had delivered this anſwer to the ambaſſador, he received a letter from the infant Iſabella, notifying the death of her huſband the archduke at Bruſſels the 13th of July, and repeating withal her inſtances in the elector's behalf. Whereupon Digby preſented a freſh memorial, demanding a truce for the Lower Palatinate on three conditions. 1. That count Mansfeldt ſhould obſerve the truce, otherwiſe the elector Palatine ſhould revoke his commiſſion. 2. That the commiſſion of John-George de Brandenburg, marquis of Jagerndorf, who ſerved the elector, ſhould be likewiſe revoked. 3. That as ſoon as the truce was publiſhed, the elector ſhould deliver to the emperor, Tabor and Witigaw, the only places he ſtill held in Bohemia.

The emperor receiving theſe propoſals, communicated them to the elector of Saxony and the duke of Bavaria, who returned both the ſame anſwer, as if they had given each other the word, namely, they adviſed him to omit nothing to reſtore peace to Germany: looſe expreſſions without any meaning, but which however gave occaſion to believe they were inclined to peace. After that, the emperor writ a letter to the infanta, which was imparted to Digby, telling her, that at her requeſt and out of his great regard for the king of England, who had ſhown ſo much prudence, ſincerity, and moderation, he was reſolved to treat of a truce, on the conditions propoſed by the Engliſh ambaſſador himſelf. Adding, that during the truce, conferences might be held, to try to come to a peace. Thus James was obliged either to ſit ſtill and expect the event of theſe conferences, or to break with the emperor and Spain, when the peace ſeemed to be upon the point of concluſion, to which it was well known he would not eaſily be determined.

Ruſhworth, t. i. p. 37. Annals,

Some time after, the emperor, whether to gain time, or to be freed from Digby's importunities, told him, he intended to grant a truce for the Palatinate, if the duke of Bavaria would con-

consent to it. Nay, he advised him to go and negotiate the truce with the duke. Digby leaving Vienna the 11th of September, came into the Upper-Palatinate, where the duke of Bavaria then was, at the time Mansfeldt was concluding the forementioned truce with Tilly. When Digby talked of a truce, the duke told him, "There was no need to labour "for a truce, for the wars were at an end, in that he had "agreed with count Mansfeldt; nor did he doubt of keeping "both Palatinates in peace, till the emperor and Palsgrave "were agreed." The emperor hearing by Digby this answer, writ him word, that the face of affairs being altered in the Upper Palatinate by Mansfeldt's fault, who had entered that country with his troops, the duke of Bavaria was under a necessity of raising an army to drive him thence, and it was not reasonable he should be at that charge to no purpose. Then it was that Digby, having informed the king of the state of affairs in Germany, brought Mansfeldt into the Lower Palatinate, where his coming saved Frankendal. After that, he borrowed upon his own credit ten thousand pounds sterling to pay the English troops, who had for a long time received nothing. James I. 1621.

The king being informed, by his ambassador's letter, of the duke of Bavaria's answer, wrote to the emperor, to complain of the invasion of the Palatinate, and to tell him in what manner he conceived the elector Palatine was to give him satisfaction, in order to fix the sense of the word. 1. That he should renounce the crown of Bohemia. 2. That as prince of the empire he should submit to his imperial majesty. 3. That he should ask pardon on his knees. 4. That for the future, he should remain quiet, and raise no disturbance in the empire. 5. That he should be reconciled to all the princes. 6. That if this was not sufficient, he would undertake to procure what other terms should be deemed reasonable. Lastly, he told him, that if he could not obtain his son-in-law's pardon by fair means, he was resolved to have recourse to arms. The emperor, without being frighted at this menace, still continued to amuse him, and the better to persuade him he was inclined to peace, he dispatched count Schwatzenburgh to settle with him the conditions of a truce. The count was very magnificently received at London. But before I speak of the success of his embassy, I must relate what passed in England till the end of the year.

Satisfaction offered to the emperor by the king in the emperor's name. Du Chesne.

The emperor sends an ambassador to amuse him.

The king had farther adjourned the two houses from the 14th of November to the 8th of February 1622. But

The king re-assembles the parlia-

Digby's

James I. 1621. Digby's return occaſioned his ordering them to meet the 20th of November. As he was a little indiſpoſed, he commanded the lord-keeper, the lord-treaſurer, and the lord Digby, to acquaint the parliament with his intentions. The lord-keeper ſaid, that ſince the laſt adjournment the king had taken great care of the nation, reforming by his proclamations thirty-ſeven ſeveral grievances complained of by the people, without demanding any thing in return for theſe favours, as was uſual in former times. That he had re-aſſembled the parliament, upon the declaration of the commons to aſſiſt him powerfully in the recovery of the Palatinate. That he had uſed his endeavours to procure a good peace, but with little ſucceſs, as the lord Digby would inform them. Then, he put them in mind, that the king had avanced forty thouſand pounds to keep together an army in the Lower Palatinate: "But, continued he, unleſs the parliament take further reſolution, "and imitate rather antient than modern principles, and be "more expeditious in what they do, his majeſty's endeavours "will fall to the ground." He concluded with ſaying, the king had reſolved to continue the ſeſſion till ſeven or eight days before Chriſtmaſs, and renew it the eighth of February.

ment, at Digby's return. Ruſhworth.

The keeper's ſpeech. Wilſon. Ruſhworth, t. i. p. 39. Annals.

Digby's ſpeech. Wilſon. p. 738. Ruſhworth, t. i. p. 39. Annals.

The lord Digby ſpeaking next, gave a brief account of his embaſſy to Vienna, and ſaid, he plainly diſcovered, it was the emperor's intent to give the Upper Palatinate to the duke of Bavaria. Adding, that a good ſum of money was abſolutely neceſſary, both to keep count Mansfeldt's army together, and to ſend a ſtrong ſupply of Engliſh troops to the Palatinate.

The treaſurer's ſpeech. Ibid.

The lord-treaſurer ſaid, the king's coffers were empty, his treaſure being exhauſted by the ſums employed in the defence of the Palatinate. Nevertheleſs, though the king declared for war, he was reſolved to conclude the Spaniſh marriage, hoping by that means to heal the breach.

The king's deſign. Ruſhworth. Ibid.

'Tis certain, the king had no deſign to go to war, ſince it could be only with the Spaniard, whom he conſidered as his beſt friend, and with whom he was going to be allied by his ſon's marriage with the infanta. But he made as if he intended to take up arms, in caſe he was obliged to it. To that end, it was neceſſary, in his opinion, to prepare betimes, and begin with ſending money to Mansfeldt to pay his troops and continue the war in the Palatinate, till the ſucceſs of the negotiations at Vienna and Madrid ſhould be known. The king would therefore have it ſuppoſed, as a thing certain, that in caſe theſe negotiations were fruitleſs, he was bent to begin the war and vigorouſly ſupport it. Conſequently, he

he demanded money to enable him to make the neceſſary preparations, and required that the affair ſhould be left entirely to his management. Indeed parliaments are wont to act thus, when they think the king is undertaking a juſt and neceſſary war: ſo James proceeded upon the uſual cuſtom and method of the parliament. There was only one objection to be made, of which however no man durſt ſpeak his mind freely, namely, that the conduct of the former parliaments was grounded upon their good opinion of their kings, and their confidence in them. But the commons had no ſuch confidence in James II. He demanded money for a war, to which they were perſuaded he had no inclination; and therefore they could not help fearing, that the money which ſhould be granted him, would be employed otherways than in a war with Spain. On the other hand, the commons were taken in their own ſnares: to ſhow that the delay of a war, deemed neceſſary by all the world, did not proceed from them, they had promiſed to put the king in a condition to begin and purſue it vigorouſly; but when this promiſe came to be performed, their little confidence in the king made them very reſerved: it was neceſſary however to ſatisfy the public, and ſhow they meant to keep their promiſe, provided they could be certain it would be for the advantage of the ſtate. To that end they reſolved to make a remonſtrance to the king, and repreſent to him what they thought requiſite in the preſent juncture: not that they expected the king would grant their requeſts, but to leave him without excuſe in caſe he refuſed them, which was ſcarce to be doubted. Such were the effects the diſtruſt between the king and the parliament began to produce: inſtead of uſing their joint endeavours for the public good, each ſtrove to take advantage of the other. For the better underſtanding the events of this reign, which were the origin and ſpring of the troubles in the next, it will not be improper to inſert the whole remonſtrance, notwithſtanding its length.

James I. 1621.

Remark on this occaſion

The commons reſolve to make a remonſtrance to the king.

"Moſt gracious and dread ſovereign,

"WE your majeſty's moſt humble and loyal ſubjects, the knights, citizens, and burgeſſes, now aſſembled in parliament, who repreſent the commons of your realm, full of hearty ſorrow, to be deprived of the comfort of your royal preſence, or the rather, for that it proceeds from the want of your health, wherein we all unfeignedly do ſuffer; in all humble manner, calling to mind your gracious anſwer to our former petition concerning religion, which, notwithſtanding

The commons remonſtrance. Ruſhworth, tom. i. p. 40. Wilſon. Annals of James I. p. 58.

"your

James I. 1621. "your majeſty's pious and princely intentions, hath not pro-
"duced that good effect, which the danger of theſe times
"doth ſeem to us to require: and finding how ill your ma-
"jeſty's goodneſs hath been requited by princes of different
"religion, who, even in time of treaty, have taken oppor-
"tunity to advance their own ends, tending to the ſubver-
"ſion of religion, and diſadvantage of your affairs, and the
"eſtate of your children; by reaſon whereof, your ill-affect-
"ed ſubjects at home, the popiſh recuſants, have taken too
"much encouragement, and are dangerouſly increaſed in
"their number, and in their inſolencies. We cannot but be
"ſenſible thereof, and therefore humbly repreſent what we
"conceive to be the cauſes of ſo great and growing miſchiefs,
"and what be the remedies.

"I. The vigilancy and ambition of the pope of Rome,
"and his deareſt ſon, the one aiming at as large a temporal
"monarchy, as the other at a ſpiritual ſupremacy.

"II. The deviliſh poſitions and doctrines, whereon popery
"is built, and taught with authority to their followers, for
"advancement of their temporal ends.

"III. The diſtreſſed and miſerable eſtate of the profeſſors
"of true religion in foreign parts.

"IV. The diſaſtrous accidents to your majeſty's children
"abroad, expreſſed with rejoicing, and even with contempt
"of their perſons.

"V. The ſtrange confederacy of the princes of the popiſh
"religion, aiming mainly at the advancement of theirs, and
"ſubverting of ours, and taking the advantages conducing
"to that end upon all occaſions.

"VI. The great and many armies raiſed, and maintain-
"ed at the charge of the king of Spain, the chief of that
"league.

"VII. The expectation of the popiſh recuſants of the match
"with Spain, and feeding themſelves with great hopes of the
"conſequences thereof.

"VIII. The *interpoſing* of foreign princes, and their
"agents, in the behalf of popiſh recuſants, for connivance
"and favour unto them.

"IX. The open and uſual reſort to the houſes, and, which
"is worſe, to the chapels of foreign ambaſſadors.

"X. Their more than uſual concourſe to the city, and
"their frequent conventicles and conferences.

"XI. The education of their children in many ſeveral ſe-
"minaries and houſes of their religion in foreign parts, ap-
"propriated to the Engliſh fugitives.

"XII. The

" XII. The grants of their juſt forfeitures intended by your majeſty, as a reward of ſervice to the grantees; but, beyond your majeſty's intention, transferred or compounded for, at ſuch mean rates, as will amount to leſs than a toleration. James I. 1621.

" XIII. The licentious printing and diſperſing of popiſh and ſeditious books, even in the time of parliament.

" XIV. The ſwarms of prieſts and jeſuits, the common incendiaries of all chriſtendom, diſperſed in all parts of your kingdom.

" And from theſe cauſes, as bitter roots, we humbly offer to your majeſty, that we foreſee and fear there will neceſſarily follow very dangerous effects both to church and ſtate. For,

" I. The popiſh religion is incompatible with ours in reſpect of their poſitions.

" II. It draweth with it an inviolable dependency on foreign princes.

" III. It openeth too wide a gap for popularity, to any who ſhall draw too great a party.

" IV. It hath a reſtleſs ſpirit, and will ſtrive by theſe gradations; if it once get but a connivance, it will preſs for a toleration; if that ſhould be obtained, they muſt have an equality; from thence they will aſpire to ſuperiority, and will never reſt till they get a ſubverſion of the true religion.

" The remedies againſt theſe growing evils, which, in all humility, we offer unto your moſt excellent majeſty, are theſe:

" I. That ſeeing this inevitable neceſſity is fallen upon your majeſty, which no wiſdom or providence of a peaceful and pious king can avoid, your majeſty would not omit this juſt occaſion, ſpeedily and effectually to take your ſword into your hand.

" II. That once undertaken upon ſo honourable and juſt grounds, your majeſty would reſolve to purſue, and more publicly avow the aiding of thoſe of our religion in foreign parts, which, doubtleſs, would re-unite the princes and ſtates of the union, by theſe diſaſters diſheartened and diſbanded.

" III. That your majeſty would propoſe to yourſelf to manage this war with the beſt advantage, by a diverſion or otherwiſe, as in your deep judgment ſhall be found fitteſt, and not to reſt upon a war in theſe parts only,

James I. 1621. "which will conſume your treaſure, and diſcourage your "people.

"IV. That the bent of this war, and point of your "ſword, may be againſt that prince (whatſoever opinion "of potency he hath) whoſe armies and treaſures have "firſt diverted, and ſince maintained the war in the Palati-"nate.

"V. That for ſecuring of our peace at home, your ma-"jeſty would be pleaſed to review the parts of our petition, "formerly delivered unto your majeſty, and hereunto an-"nexed, and to put in execution, by the care of choice "commiſſioners to be thereunto eſpecially appointed, the "laws already, and hereafter to be made, for preventing "of dangers by popiſh recuſants, and their wonted eva-"ſions.

"VI. That to fruſtrate their hopes for a future age, our "moſt noble prince may be timely and happily married to "one of our own religion.

"VII. That the children of the nobility and gentry of "this kingdom, and of others ill affected and ſuſpected in "their religion now beyond the ſeas, may be forthwith call-"ed home by your means, and at the charge of their parents "or governors.

"VIII. That the children of popiſh recuſants, or ſuch "whoſe wives are popiſh recuſants, be brought up during "their minority, with proteſtant ſchool-maſters and teachers, "who may ſow, in their tender years, the ſeeds of true re-"ligion.

"IX. That your majeſty will be pleaſed ſpeedily to re-"voke all former licences for ſuch children and youth to tra-"vel beyond the ſeas, and not grant any ſuch licence here-"after.

"X. That your majeſty's learned council may receive "commandment from your highneſs, carefully to look into "former grants of recuſants lands, and to avoid them, if by "law they can; and that your majeſty will ſtay your hand "from paſſing any ſuch grants hereafter.

"This is the ſum and effect of our humble declaration, "which we (no ways intending to preſs upon your majeſty's "undoubted and regal prerogative) do, with the fulneſs of "our duty and obedience, humbly ſubmit to your moſt "princely conſideration: the glory of God, whoſe cauſe it is; "the zeal of our true religion, in which we have been born, "and wherein (by God's grace) we are reſolved to die; the "ſafety of your majeſty's perſon, who is the very life of your "people;

" people; the happineſs of your children and poſterity; the James I.
" honour and good of the church and ſtate, dearer to us 1621.
" than our lives, having kindled theſe reflections, truly de-
" voted to your majeſty.

" And ſeeing, out of our duty to your majeſty, we have " already reſolved to give, at the end of this ſeſſion, one en- " tire ſubſidy, for the preſent relief of the Palatinate only, " to be paid in the end of February next, which cannot well " be effected but by paſſing a bill in a parliamentary courſe " before Chriſtmaſs; we moſt humbly beſeech your majeſty " (as our aſſured hope is) that you will then alſo vouchſafe " to give life by your royal aſſent, to ſuch bills as before that " time ſhall be prepared for your majeſty's honour, and the " general good of your people: and that ſuch bills may be " alſo accompanied (as hath been accuſtomed) with your " majeſty's gracious pardon, which proceeding from your " own mere grace, may, by your highneſs's direction, be " drawn to that latitude and extent, as may beſt ſort with " your majeſty's bounty and goodneſs. And that not only " felons and criminal offenders may take benefit thereof, but " that your good ſubjects may receive eaſe thereby. And if " it ſhall ſo ſtand with your good pleaſure, that it may ex- " tend to the relief of the old debts and duties to the crown " before the firſt year of your majeſty's reign, to the diſ- " charge of alienations without licence, and miſuſing of li- " veries, and ouſtre le maine, before the firſt ſummons of " this parliament and of concealed wardſhips, and not ſuing " of liveries, and ouſtre le maines, before the twelfth year " of your majeſty's reign: which gracious favour would " much comfort your good ſubjects, and eaſe them from " vexation, with little loſs or prejudice to your own profit.

" And we by our daily and devout prayers to the Almighty, " the great King of Kings, ſhall contend for a bleſſing upon " our endeavours; and for your majeſty's long and happy " reign over us; and for your children's children after you, " for many and many generations."

The king had taken great care, at the opening of the parliament to mark out the bounds which the commons were not to exceed: above all things he intimated to them, that they ought not to give him advice without being aſked. They neglected this charge very much in their remonſtrance, and plainly ſhowed they did not believe it belonged to the king to determine how far the duty of the people's repreſentatives in parliament reached. The king's principles were ſo different Different principles of the king and commons.

James I. 1621. from thoſe of the commons, that it is no wonder their inferences were directly contrary. The king did not expect the commons ſhould adviſe him, and the commons pretended it was their indiſpenſable duty to repreſent to him the dangers of the church or ſtate, with the propereſt remedies. The king reſted upon the prerogative royal, but the commons did not agree to the extent he gave this prerogative, by virtue whereof he pretended to hinder them from taking care of the church and ſtate when they were in danger, or their concerns neglected. It is very difficult, not to ſay impoſſible, to mark out the bounds of the royal prerogative, as well as of the privilege and duty of the nation's repreſentatives, in all caſes which may occur. So, without undertaking to decide this point, I ſhall only ſay, the commons diſtruſt made them take an extraordinary courſe, which doubtleſs they would not have followed, had they been to deal with a prince more eſteemed. On the other hand, it cannot be denied the king gave great occaſions of ſuſpicion and jealouſy, in affecting to eſtabliſh his prerogative upon general principles, which will never be received in England, without the proper reſtrictions to the nature of the Engliſh conſtitution.

The king is offended at the manner of the remonſtrance.

But the attempt upon the royal prerogative was not the only thing that offended the king. The remonſtrance contained what could not but be very diſagreeable to him, ſince, in obſcure terms, he was taxed with neglecting the welfare of religion and the nation; with tolerating recuſants; with having no deſign to engage in a war for the recovery of the Palatinate, though he deſired money for that purpoſe; with granting licences prejudicial to the kingdom; and laſtly, having little or no concern for the intereſt of religion, in marrying the prince his ſon with a Spaniſh princeſs. The commons not daring to ſpeak their thoughts freely on this occaſion, were contented with giving intimations. The king perceived it, but forbore in his own vindication to enter into particulars, which would not have been for his advantage. It was much more agreeable to his intereſt and dignity to hinder ſo ungrateful a remonſtrance from being preſented to him. And that was the courſe he took. As ſoon as he heard the remonſtrance was read, he ſent the following letter to the ſpeaker.

To

James I. 1621.

To our trusty and well-beloved sir Thomas Richardson, knight, speaker of the house of commons.

"Mr. Speaker,

"We have heard by divers reports, to our great grief, "that our distance from the houses of parliament, "caused by our indisposition of health, hath emboldened "some fiery and popular spirits of some of the house of "commons, to argue and debate publicly of the matters far "above their reach and capacity, tending to our high dis- "honour, and breach of prerogative royal. These are there- "fore to command you to make known, in our name, unto "the house, that none therein shall presume henceforth to "meddle with any thing concerning our government, or "deep matters of state; and namely, not to deal with our "dearest son's match with the daughter of Spain, nor to "touch the honour of that king, or any other our friends "and confederates; and also not to meddle with any man's "particulars, which have their due motion in our ordinary "courts of justice. And whereas we hear they have sent a "message to sir Edward Sandys, to know the reasons of his "late restraint, you shall in our name resolve them, that it "was not for any misdemeanor of his in parliament; but to "put them out of doubt of any question of that nature that "may arise among them hereafter, you shall resolve them "in our name, that we think ourself very free and able to "punish any man's misdemeanors in parliament, as well "during their sitting as after: which we mean not to spare "hereafter, upon any occasion of any man's insolent behavi- "our there that shall be ministred unto us; and if they have "already touched any of these points, which we have for- "bidden, in any petition of theirs, which is to be sent unto "us, it is our pleasure that you shall tell them, that except "they reform it before it comes to our hands, we will not "deign the hearing, nor answering of it."

"Dated at Newmarket, Dec. 3, 1621.

The king's letter to the speaker of the house of commons. Wilson, p. 172. Annals of James I. p. 60. Coke. Rushworth, tom. i. p. 43.

This letter being read and examined in the house, the commons did not think proper to keep silence, but to let the king see his threats should not deter them from doing their duty, as they pretended. They drew therefore a petition, which was presented to the king with the foregoing remonstrance. The petition ran thus:

James I. 1621.

"Moſt dread and gracious ſovereign,

"WE your moſt humble and loyal ſubjects, the knights, citizens, and burgeſſes, aſſembled in the commons houſe of parliament, full of grief and unſpeakable ſorrow, through the true ſenſe of your majeſty's diſpleaſure expreſſed by your letter lately ſent to our ſpeaker, and by him related and read unto us: yet comforted again with the aſſurance of your grace and goodneſs, and of the ſincerity of our own intentions and proceedings, whereon with confidence we can rely, in all humbleneſs beſeech your moſt excellent majeſty, that the loyalty and dutifulneſs of as faithful and loving ſubjects as ever ſerved or lived under a gracious ſovereign, may not undeſervedly ſuffer by the miſinformation of partial and uncertain reports, which are ever unfaithful intelligencers: but that your majeſty would in the clearneſs of your own judgment, firſt vouchſafe to underſtand from ourſelves, and not from others, what our humble declaration and petition (reſolved upon by the univerſal voice of the houſe, and propoſed with your gracious favour to be preſented unto your ſacred majeſty) doth contain. Upon what occaſion we entered into conſideration of thoſe things which are therein contained, with what dutiful reſpect to your majeſty, and your ſervice, we did conſider thereof, and what was our true intention thereby. And that when your majeſty ſhall thereby truly diſcern our dutiful affections, you will, in your royal judgment, free us from thoſe heavy charges, wherewith ſome of our members are burthened, and wherein the whole houſe is involved.

"And we humbly beſeech your majeſty, that you would not hereafter give credit to private reports, againſt all or any of the members of our houſe, whom the whole have not cenſured, until your majeſty have been truly informed thereof from ourſelves: and that in the mean time, and ever, we may ſtand upright in your majeſty's good grace and opinion, than which no worldly conſideration is or can be dearer unto us.

"When your majeſty had reaſſembled us in parliament by your royal commandment, ſooner than we expected, and did vouchſafe, by the mouths of three honourable lords, to impart unto us the weighty occaſions moving your majeſty thereunto, and from them we did underſtand theſe particulars:

"That

The commons remonſtrance, Ruſhworth, tom. i. p. 44. Annals of James I. p. 60.

" That notwithſtanding your princely and pious endea- James I.
" vours to procure peace, the time is now come, that Janus's 1621.
" temple muſt be opened.

" That the voice of Bellona muſt be heard, and not the
" voice of a turtle.

" That there was no hope of peace, nor any truce to be
" obtained, no not for a few days.

" That your majeſty muſt either abandon your own chil-
" dren, or engage yourſelf in a war, wherein conſideration
" is to be had, what foot, what horſe, what money will be
" ſufficient.

" That the Lower Palatinate was ſeized upon by the army
" of the king of Spain as executor of the ban there in quality
" of the duke of Burgundy, as the Upper Palatinate was by
" the duke of Bavaria.

" That the king of Spain, at his own charge, had now at
" leaſt five armies on foot.

" That the princes of the union were diſbanded, but the
" catholic league remained firm, whereby thoſe princes ſo
" diſſevered, were in danger, one by one, to be ruined.

" That the eſtate of thoſe of the religion in foreign parts
" was miſerable; and that out of theſe conſiderations we
" were called to a war, and forthwith to adviſe for a ſupply
" of keeping the forces in the Palatinate from diſbanding,
" and to foreſee the means for raiſing and maintaining the
" body of an army, for the war againſt the ſpring. We
" therefore, out of our zeal to your majeſty and your poſterity,
" with more alacrity and celerity than ever was precedented
" in parliament, did addreſs ourſelves to the ſervice com-
" mended unto us. And although we cannot conceive that
" the honour and ſafety of your majeſty and your poſterity,
" the patrimony of your children invaded and poſſeſſed by
" their enemies, the welfare of religion and ſtate of your
" kingdoms, are matters at any time unfit for the deepeſt
" conſideration in time of parliament: and although before
" this time we were in ſome of theſe points ſilent, and yet
" being now invited thereunto, and led on by ſo juſt an oc-
" caſion, we thought it our duties to provide for the preſent
" ſupply thereof, and not only to turn our eyes on a war
" abroad, but to take care for the ſecuring of our peace at
" home, which the dangerous increaſe and inſolency of popiſh
" recuſants, apparently, viſibly, and ſenſibly did lead us unto.
" The conſideration whereof did neceſſarily draw us truly
" to repreſent unto your majeſty, what we conceive to be the
" cauſes, what we feared would be the effects, and what we

James I. 1621. "hoped might be the remedies of these growing evils; among "which as incident and unavoidable, we fell upon some "things which seem to touch upon the king of Spain, as they "have relation to popish recusants at home, to the wars by "him maintained in the Palatinate against your majesty's "children, and to his several armies now on foot, as "we conceived, without touch of dishonour to the king, or "any other prince your majesty's confederate.

"In the discourse whereof, we did not assume to ourselves "any power to determine of any part thereof, nor intend to "encroach or intrude upon the sacred bounds of your royal "authority, to whom, and to whom only, we acknowledge it "doth belong to resolve of peace and war, and of the mar-"riage of the most noble prince your son: but as your most "loyal and humble subjects and servants, representing the "whole commons of your kingdom (who have a large in-"terest in the happy and prosperous estate of your majesty, "and your royal posterity, and of the flourishing estate of "our church and commonwealth) did resolve, out of our "cares and fears, truly and plainly to demonstrate these things "to your majesty, which we were not assured could other-"wise come so fully and clearly to your knowledge; and "that being done, to lay the same down at your majesty's "feet, without expectation of any other answer of your ma-"jesty, touching these higher points, than what at your good "pleasure, and in your own time should be held fit.

"This being the effect of that we had formerly resolved "upon, and these the occasions and reasons inducing the "same, our humble suit to your majesty and confidence is, "that your majesty will be graciously pleased to receive, at "the hands of these our messengers, our former humble de-"claration and petition, and vouchsafe to read, and favorably "to interpret the same: and that to so much thereof as con-"taineth our humble petition concerning jesuits, priests, and "popish recusants, the passage of bills, and granting your "royal pardon, you will vouchsafe an answer unto us.

"And whereas your majesty, by the general words of your "letter, seemeth to restrain us from intermeddling with mat-"ters of government, or particulars which have their motion "in the courts of justice, the generality of which words, in "the largeness of the extent thereof (as we hope beyond your "majesty's intention) might involve those things which are "the proper subject of parliamentary occasions and discourse.

"And whereas your majesty doth seem to abridge us of the "antient liberty of parliament, for freedom of speech, juris-

"diction,

" diction, and juſt cenſure of the houſe, and other proceed- James I.
" ings there (wherein, we truſt in God, we ſhall never 1621.
" tranſgreſs the bounds of loyal and dutiful ſubjects) a liberty
" which we aſſure ourſelves ſo wiſe and ſo juſt a king will
" not infringe, the ſame being our antient and undoubted
" right and inheritance received from our anceſtors; with-
" out which we cannot freely debate, nor clearly diſcern of
" things in queſtion before us, nor truly inform your ma-
" jeſty; in which we have been confirmed by your majeſty's
" moſt gracious former ſpeeches and meſſages. We are there-
" fore now again inforced in all humbleneſs to pray your
" majeſty to allow the ſame, and thereby to take away the
" doubts and ſcruples your majeſty's late letter to our ſpeaker
" hath wrought upon us.

" So ſhall we your loyal and loving ſubjects ever acknow-
" ledge your majeſty's juſtice, grace and goodneſs, and be
" ready to perform that ſervice to your majeſty, which in the
" true affection of our hearts we profeſs, and pour out our
" daily and devout prayers to the Almighty for your ma-
" jeſty's long life, happy and religious reign, and proſperous
" eſtate, and for your royal poſterity after you for ever."

This petition, with the remonſtrance annexed, was ſent to the king by twelve members, at the head of whom the houſe affected to ſet Sir Richard Weſton, a privy-counſellor, a known papiſt, and thought to be the perſon that moſt incenſed the king againſt the commons. Then the houſe reſolved to proceed to no other affair, till they had an anſwer to their petition. The king received the twelve members very roughly. Some ſay, he called for twelve chairs for them, ſaying, " Here " are twelve kings come to me." He received from them the laſt petition, but rejected the remonſtrance, with the copy of the petition already preſented to him againſt the recuſants. Some days after, he ſent the commons an anſwer in writing. As nothing can better diſcover that prince's deſigns and character than his ſpeeches, though generally very long, the reader perhaps will be glad to ſee the anſwer at length. Wilſon. p. 743.

The king's anſwer to the latter petition. Jb. p. 174. Annals of James I. p. 62. Ruſhworth, tom. i. p. 46.

" WE muſt here begin in the ſame faſhion that we would " have done, if your firſt petition had come to our " hands, before we had made a ſtay thereof; which is to re- " peat the firſt words of the late queen of famous memory, " uſed by her, in an anſwer to an inſolent propoſition made " by a Polonian ambaſſador unto her; that is, " Legatum " expectabamus, heraldum accipimus." For we had great

" reaſon,

James I. 1621. "reaſon to expect, that the firſt meſſage from your houſe "ſhould have been a meſſage of thankſgiving for our conti- "nued gracious behaviour towards our people, ſince your laſt "receſs, not only by our proclamation of grace, wherein were "contained ſix or ſeven and thirty articles, all of ſeveral "points of grace to the people, but alſo by the labour we "took for the ſatisfaction of both houſes, in thoſe three arti- "cles recommended unto us in both their names, by the "right reverend father in God, the archbiſhop of Canter- "bury; and likewiſe for the good government of Ireland, "we are now in hand with at your requeſt: but not only "have we heard no news of all this, but contrary, great com- "plaints of the danger of religion within the kingdom, ta- "cidly implying our ill-government in this point. And we "leave you to judge, whether it be your duties, that are the "repreſentative body of the people, ſo to diſtaſte them with "our government; whereas by the contrary it is your duty, "with all your endeavours, to kindle more and more a duti- "ful and thankful love in the people's hearts towards us, for "our juſt and gracious government.

"Now whereas, in the very beginning of this your apo- "logy, you tax us in fair terms of truſting uncertain reports "and partial informations concerning your proceedings, we "wiſh you to remember, that we are an old and experienced "king needing no ſuch leſſons, being in our conſcience freeſt "of any king alive from hearing or truſting idle reports, which "ſo many of your houſe as are neareſt us can bear witneſs "unto you, if you would give as good ear to them, as you "do to ſome tribunitial orators among you: and for proof "in this particular, we have made your own meſſengers con- "fer your other petitions ſent by you, with the copy thereof, "which was ſent us before: between which there is no dif- "ference at all; but that ſince our receiving the firſt copy, "you added a concluſion unto it, which could not come to "our hands till it was done by you, and your meſſenger ſent, "which was all at one time. And if we had no copy of it "beforehand, we muſt have received your firſt petition, to "our great diſhonour, before we had known what it con- "tained; which would have enforced us to return you a far "worſe anſwer than now we do; for then your meſſengers "had returned with nothing, but that we have judged your "petition unlawful and unworthy of an anſwer: for as to "your concluſion thereof, it is nothing but Proteſtatio con- "traria facto; for in the body of your petition, you uſurp "upon our perogative royal, and meddle with things far

"above

" above your reach; and then in the concluſion you proteſt the contrary; as if a robber would take a man's purſe, and then proteſt he meant not to rob him. For firſt, you preſume to give us your advice concerning the match of our deareſt ſon with ſome proteſtant (we cannot ſay princeſs, for we know none of theſe fit for him) and diſſuade us from his match with Spain; urging us to preſent war with that king: and yet in the concluſion, forſooth, ye proteſt ye intend not to preſs upon our moſt undoubted and regal prerogative; as if the petitioning of us in matters that yourſelves confeſs ye ought not to meddle with, were not a meddling with them. James I. 1624.

" And whereas ye pretend, that ye were invited to this courſe by the ſpeeches of three honourable lords; yet by ſo much as yourſelves repeat of the ſpeeches, nothing can be concluded, but that we were reſolved by war to regain the Palatinate, if otherwiſe we could not attain to it. And you are invited to adviſe forthwith upon a ſupply, for keeping the forces in the Palatinate from diſbanding, and to foreſee the means for the raiſing and maintenance of the body of an army for that war againſt the ſpring. Now, what inference can be made upon this, that therefore we muſt preſently denounce war againſt the king of Spain, break our deareſt ſon's match, and match him to one of our religion, let the world judge. The difference is no greater, than if we would tell a merchant, that we had great need to borrow money from him for raiſing an army; that thereupon it would follow, that we were bound to follow his advice in the direction of the war, and all things depending thereupon: but yet not contenting yourſelves with this excuſe of yours, which indeed cannot hold water, ye come after to a direct contradiction to the concluſion of your former petition, ſaying, that the honour and ſafety of us and our poſterity, and the patrimony of our children, invaded and poſſeſſed by their enemies, the welfare of religion, and ſtate of our kingdome, are matters at any time not unfit for your deepeſt conſiderations in parliament. To this generality, we anſwere with the logicians, that where all things are contained, nothing is omitted. So as this plenipotencie of yours, inveſts you in all power upon earth, lacking nothing but the pope's to have the keys alſo both of heaven and purgatory: and to this vaſte generality of yours, we can give no other anſwer; for it will trouble all the beſt lawyers in the houſe to make a good commentary upon it: for ſo did the puritan miniſters in Scotland

" bring

James I. 1621. " bring all kinde of cauſes within the compaſſe of their juriſ-
" diction, ſaying, that it was the church's office to judge of
" ſlander, and there could no kinde of crime or fault be com-
" mitted, but there was a ſlander in it, either againſt God, the
" king, or their neighbour; and by this means they hooked
" in to themſelves the coghizance of all cauſes: or like Bel-
" larmine's diſtinction of the pope's power over all kings,
" in ordine ad ſpiritualia, whereby he gives them all tempo-
" ral juriſdiction over them.

" But to give you a direct anſwere to the matter of war
" for which you are ſo earneſt. We confeſs, we rather ex-
" pect you ſhould have given us great and heartie thanks, for
" the long maintaining a ſettled peace in all our dominions,
" when all our neighbours about are in a miſerable combuſ-
" tion of war; but, " Dulce bellum inexpertis." And we
" indeed find by experience, that a number of our ſubjects
" are ſo pampered with peace, as they are deſirous of change,
" though they know not what.

" It is true, that we have ever profeſſed, and in that minde
" with God's grace we will live and die, that we will labour
" by all meanes poſſible, either by treaty or by force, to re-
" ſtore our children to their antient dignity and inheritance:
" and whatſoever chriſtian princes or potentates will ſet them-
" ſelves againſt it, we will not ſpare any lawful means to
" bring our ſo juſt and honourable purpoſe to a good end;
" neither ſhall the match of our ſon, or any other worldly
" reſpect, be preferred to this our reſolution. For by our
" credit and intervention with the king of Spain, and the
" archdutcheſs and her huſband, now with God, we preſerved
" the Lower Palatinate one whole year from any further con-
" quering in it, which in eight days ſpace, in that time might
" have eaſily been ſwallowed up by Spinola's army without
" any reſiſtance. And in no better caſe was it now at our
" ambaſſador the lord Digby's coming through Heidelburgh,
" if he had not extraordinarily ſuccoured it.

" But becauſe we conceive that ye couple this war of the
" Palatinate with the cauſe of religion, we muſt a little un-
" fold your eyes herein.

" The beginning of this miſerable war, which hath ſet all
" Chriſtendom on fire, was not for religion, but only cauſed
" by our ſon-in-law his haſty and harſh reſolution, following
" evil counſel, to take to himſelf the crown of Bohemia.

" And that this is true, himſelf wrote letters unto us at
" that time, deſiring to give aſſurance both to the French
" king, and ſtate of Venice, that his accepting of the crown

" of

" of Bohemia had no reference to the cauſe of religion, but James I.
" only by reaſon of his right of election (as he called it.) 1621.
" And we would be ſorry that that aſperſion ſhould come
" upon our religion, as to make it a good pretext for de-
" throning of kings, and uſurping their crowns; and we would
" be loth that our people here ſhould be taught that ſtrange
" doctrine; no, let us not ſo far wrong the jeſuits, as to rob
" them of their ſweet poſitions and practice in that very
" point.

" And upon the other part, we aſſure ourſelf ſo far of
" your charitable thoughts of us, that we would never have
" conſtantly denied our ſon-in-law both the title and aſſiſ-
" tance in that point, if we had been well perſuaded of the
" juſtice of his quarrel. But to conclude; this unjuſt uſurpa-
" tion of the crowns of Bohemia and Hungaria from the em-
" peror, hath given the pope and all that party too fair a
" ground, and opened them too wide a gate for curbing and
" oppreſſing of many thouſands of our religion, in divers
" parts of Chriſtendom.

" And whereas you excuſe your touching upon the king
" of Spain, upon occaſion of the incidents by you repeated in
" that place, and yet affirm, that it is without any touch to
" his honour; we cannot wonder enough that you are ſo
" forgetful both of your words and writs: for in your former
" petition ye plainly affirm, that he affects the temporal monar-
" chy of the whole earth; than which there can be no more
" malice uttered againſt any great king, to make all other prin-
" ces and potentates both envy and hate him; but if ye liſt it
" may eaſily be tried, whether that ſpeech touched him in
" honour or not, if ye ſhall aſk him the queſtion, whether he
" means to aſſume to himſelf that title or no, for every king
" can beſt judge of his own honour. We omit the particu-
" lar ejaculations of ſome foul-mouthed orators in your houſe,
" againſt the honour of that king's crown and ſtate.

" And touching your excuſe of not determining any thing
" concerning the match of our deareſt ſon, but only to tell
" your opinion, and lay it down at our feet." Firſt, we de-
" ſire to know, how you could have preſumed to determine
" in that point, without committing of high-treaſon. And
" next you cannot deny but your talking of his match after
" that manner, was a direct breach of our commandment,
" and declaration out of our own mouth, at the firſt ſetting
" down of this parliament, where we plainly profeſſed that
" we were in treaty of this match with Spain; and wiſhed
" you to have that confidence in our religion and wiſdom,

" that

James I. 1621. "that we would ſo manage it, as our religion ſhould receive "no prejudice by it: And the ſame we now repeat unto "you, profeſſing that we are ſo far engaged in that match, "as we cannot in honour go back, except the king of Spain "perform not ſuch things as we expect at his hands. And "therefore we are ſorry, that ye ſhould ſhew to have ſo great "diſtruſt in us, as to conceive that we ſhould be cold in our "religion, otherwiſe we cannot imagine how our former "public declaration ſhould not have ſtopped your mouths in "this point.

"And as to your requeſt, that we would now receive "your former petition; we wonder what could make you "preſume that we would receive it, whereas in our former "letter we plainly declared the contrary unto you.

"And therefore we have juſtly rejected that ſuit of yours: "For what have you left unattempted in the higheſt points "of ſovereignty, in that petition of yours, except the ſtrik-"ing of coin? For it contains the violation of leagues, the "particular way how to govern a war, and the marriage of "our deareſt ſon, both negative with Spain, nay, with any "other popiſh princeſs; and alſo affirmatively, as to the "matching with one of our religion; which we confeſs is a "ſtrain beyond any providence or wiſdom God hath given "us, as things now ſtand.

"Theſe are unfit things to be handled in parliament, ex-"cept your king ſhall require it of you: For who can have "wiſdom to judge of things of that nature, but ſuch as are "daily acquainted with the particulars of treaties, and of the "variable and fixed connexion of affairs of ſtate, together "with the knowledge of the ſecret ways, ends, and inten-"tions of princes in their ſeveral negotiations? Otherwiſe, "a ſmall miſtaking of matters of this nature may produce "more effects than can be imagined; and therefore, "Ne "ſutor ultra crepidam." "And beſides, the intermeddling "in parliament with matters of peace or war, and marriage "of our deareſt ſon, would be ſuch a diminution to us, to "our crown in foreign countries, as would make any prince "neglect to treat with us, either in matters of peace or mar-"riage, excepting they might be aſſured by the aſſent of the "parliament. And ſo it proved long ago with the king of "France [a], who upon a trick procuring his ſtate to diſſent "from ſome treaty which before he had made, was after "refuſed treating with any other princes, to his great re-

[a] Francis I.

"proach;

" proach, unleſs he would firſt procure the aſſent of his James I.
" eſtates to their propoſition. And will you caſt your eyes 1621.
" upon the late times, you ſhall find that the late queen of
" famous memory, was humbly petitioned by a parliament
" to be pleaſed to marry: But her anſwer was, That ſhe
" liked their petition well, becauſe it was ſimple, not limit-
" ing her to place or perſon, as not befitting her liking to
" their fancies; and if they had done otherwiſe, ſhe would
" have thought it a high preſumption in them. Judge then
" what we may do in ſuch a caſe, having made our public
" declaration already (as we ſaid before) directly contrary to
" that which you have now petitioned.

" Now to the points in your petition, whereof you deſire
" an anſwer, as properly belonging to the parliament; The
" firſt and the greateſt point is that of religion; concerning
" which, at this time, we can give you no other anſwer
" than in general; which is, That you may reſt ſecure, that
" we will never be weary to do all we can for the propa-
" gation of our religion, and repreſſing of popery: But the
" manner and form you muſt remit to our care and provi-
" dence, who can beſt conſider of times and ſeaſons, not by
" undertaking a public war of religion through all the world
" at once, (which how hard and dangerous a taſk it may
" prove, you may judge.) But this puts us in mind, how all
" the world complained the laſt year of plenty of corn;
" and God ſent us a cooling card this year for that heat:
" And ſo we pray God, that this deſire among you of kind-
" ling wars (ſhewing your wearineſs of peace and plenty)
" may not make God permit us to fall into the miſeries of
" both. But as we already ſaid, our care of religion muſt
" be ſuch, as on the one part we muſt not, by the hot per-
" ſecution of our recuſants at home, irritate foreign princes
" of contrary religion, and teach them the way to plague
" the proteſtants in their dominions, with whom we daily
" intercede, and at this time principally, for eaſe to them of
" our profeſſion that live under them; yet upon the other
" part, we never mean to ſpare from due and ſevere puniſh-
" ment any papiſt that will grow inſolent for living under our
" ſo mild government. And you may alſo be aſſured, we
" will leave no care untaken, as well for the education of
" the youth at home, eſpecially the children of papiſts, as
" alſo for preſerving at all times hereafter the youth that are
" or ſhall be abroad, from being bred in dangerous places,
" and ſo poiſoned in popiſh ſeminaries. And as in this point,
" namely, the good education of popiſh youth at home, we

" have

James I. 1621.

" have already given ſome good proofs, both in this king-
" dom and in Ireland, ſo will we be well pleaſed to paſs
" any good laws that ſhall be made, either now, or at any
" time hereafter to this purpoſe.

" And as to your requeſt of making this a ſeſſion, and
" granting a general pardon; it ſhall be in your defaults,
" if we make not this a ſeſſion before Chriſtmas.

" But for the pardon, ye crave ſuch particulars in it, as we
" muſt be well adviſed upon, leſt otherwiſe we give you back
" the double or treble of that we are to receive by your en-
" tire ſubſidy, without fifteens. But the ordinary courſe we
" hold fitteſt to be uſed ſtill in this caſe, is, That we ſhould
" of our free grace ſend you down a pardon from the higher-
" houſe, containing ſuch points as we ſhall think fitteſt,
" wherein, we hope, ye ſhall receive good ſatisfaction.

" But we cannot omit to ſhew you, how ſtrange we think
" it, that ye ſhould make ſo bad and unjuſt a commentary
" upon ſome words of our former letter, as if we meant to
" reſtrain you thereby of your antient privileges and liberties
" in parliament. Truly, a ſcholar would be aſhamed ſo to
" miſplace and misjudge any ſentences in another man's
" book. For, whereas in the end of our former letter, we
" diſcharge you to meddle with matters of government, and
" myſteries of ſtate, namely, matters of war or peace, or
" our deareſt ſon's match with Spain; by which particular
" denominations we interpret and reſtrain our former words:
" And then, after we forbid you to meddle with ſuch things
" as have their ordinary courſe in courts of juſtice; ye couple
" together thoſe two diſtinct ſentences, and plainly leave out
" thoſe words, " Of myſteries of ſtate;" ſo as ye err, " à
" bene diviſis ad male conjuncta." For of the former part
" concerning myſteries of ſtate, we plainly reſtrain our mean-
" ing to the particulars that were after mentioned; and in
" the latter, we confeſs we meant it by Sir Edward Coke's
" fooliſh buſineſs [b]. And therefore it had well become him,
" eſpecially being our ſervant, and one of our council, to
" have complained unto us, which he never did, though he
" was ordinarily at court ſince, and never had acceſs refuſed
" unto him.

[b] This fooliſh buſineſs was a deſign formed by chancellor Bacon, one Lepton, and Goldſmith, againſt Sir Edward Coke, after he was diſcharged from being chief juſtice, namely, to exhibit an information againſt him in the ſtar-chamber, or ſend him into Ireland. This buſineſs was debated in the houſe of commons, Coke, p. 118.

" And

"And although we cannot allow of the ſtile, calling it James I.
"Your antient and undoubted right and inheritance;" "but 1621.
"could rather have wiſhed, that ye had ſaid, "That your
"privileges were derived from the grace and permiſſion of our
"anceſtors and us; (for moſt of them grow from prece-
"dents, which rather ſhew a toleration than inheritance:)
"yet we are pleaſed to give you our royal aſſurance, that as
"long as you contain yourſelves within the limits of your
"duty, we will be as careful to maintain and preſerve your
"lawful liberties and privileges, as ever any of our prede-
"ceſſors were; nay, as to preſerve our own royal preroga-
"tive, ſo as your houſe ſhall only have need to beware to
"trench upon the prerogative of the crown; which would
"enforce us, or any juſt king, to retrench them of their pri-
"vileges, that would pare his prerogative, and flowers of the
"crown: But of this, we hope, there ſhall never be cauſe
"given."

"Dated at New-market the eleventh day of De-
"cember, 1621 c."

The laſt part of the king's anſwer was ſo clear, as to want no explanation. He had contented himſelf hitherto with inſinuating certain principles, the conſequences whereof he had carefully concealed, and thereby ſeemed to reſerve to himſelf the power either of admitting theſe conſequences, in their utmoſt extent, or with reſtrictions, or of denying them according as occaſion ſhall require. But now, whether he gave way to his paſſion, or was glad at laſt to ſpeak his thoughts clearly, not to be conſtrained any longer to uſe doubtful expreſſions, which very often were pretended not to be underſtood, he put the commons under a neceſſity either of granting his pretenſions, or oppoſing them openly. But if I may venture to ſay it, he committed an inexcuſable error, in not diſſolving the parliament, before the commons had time to debate upon his anſwer. He would thereby have eſtabliſhed his pretenſions without incuring the vexation of an open and public oppoſition, which he muſt have expected, unleſs he was wilfully blind. The commons having read the anſwer, the conſequences whereof they plainly perceived, and knowing

c The lord keeper Williams adviſed, that the harſhneſs of this anſwer might be mitigated and ſoftned, for he could never bear, that there ſhould be a miſunderſtanding between the king and his people, if it were poſſible to prevent it. Philips, p. 98.

James I. 1621. the parliament was going to be diſſolved or prorogued, drew up the following proteſtation.

The commons proteſtation, Wilſon, p. 747. Annals of James I. p. 65. Coke. Ruſhworth, t. i. p. 55.

"THE commons now aſſembled in parliament, being juſtly occaſioned thereunto, concerning ſundry liberties, franchiſes, and privileges of parliament, amongſt others here mentioned, do make this proteſtation following, that the liberties, franchiſes, privileges, and juriſdiction of parliament, are the antient and undoubted birth-right and inheritance of the ſubjects of England; and that the arduous and urgent affairs concerning the king, ſtate, and defence of the realm, and of the church of England, and the maintenance and making of laws, and redreſs of miſchiefs and grievances which daily happen within this realm, are proper ſubjects and matter of counſel and debate in parliament; and that in the handling and proceeding of thoſe buſineſſes, every member of the houſe of parliament hath, and, of right, ought to have, freedom of ſpeech, to propound, treat, reaſon, and bring to concluſion the ſame; and that the commons in parliament have like liberty and freedom to treat of theſe matters in ſuch order, as in their judgments ſhall ſeem fitteſt; and that every member of the ſaid houſe hath like freedom from all impeachment, imprisonment, and moleſtation other than by cenſure of the houſe itſelf) for, or concerning, any ſpeaking, reaſoning, or declaring of any matter or matters touching the parliament or parliament-buſineſs: And that if any of the ſaid members be complained of, and queſtioned for any thing done or ſaid in parliament, the ſame is to be ſhewed to the king by the advice and aſſent of all the commons aſſembled in parliament, before the king give credence to any private information."

The king takes the proteſtation out of the Journal-Book. Ruſhworth, t. i. p. 53.

The king being informed of the proteſtation, called a council, and came in perſon, to cauſe what is contained in the following memorial, to be ordered.

Whitehall, Dec. 30, 1621.

"HIS moſt excellent majeſty coming this day to the council, the prince his highneſs, and all the lords, and others of his majeſty's privy-council ſitting about him, and all the judges then in London, which were ſix in number, there attending upon his majeſty; the clerk of the commons houſe of parliament was called for, and commanded to produce his journal book, wherein was noted, and

"entries

entries made of moſt paſſages that were in the commons houſe of parliament; and amongſt other things, there was written down, the form of a proteſtation, concerning ſundry liberties, privileges, and franchiſes of parliament; with which form of proteſtation his majeſty was juſtly offended. Nevertheleſs, his majeſty, in a moſt gracious manner, there expreſſed, that he never meant to deny that houſe of commons any lawful privileges that ever they had enjoyed; but whatſoever privileges or liberties they had by any law or ſtatute, the ſame ſhould be inviolably preſerved unto them; and whatſoever privileges they enjoyed by cuſtom, or uncontrolled and lawful precedent, his majeſty would be careful to preſerve. But this proteſtation of the commons houſe, ſo contrived and carried as it was, his majeſty thought fit to be razed out of all memorials, and utterly to be annihilated, both in reſpect of the manner by which it was gained, and the matter therein contained. For the manner of getting it, firſt in reſpect of the time: For, after ſuch time as his majeſty, out of his princely grace, and to take away all miſtakings, had directed his letter to ſecretary Calvert, dated at Royſton, 16 Decembris, and therein had ſo explained himſelf in the point of maintaining the privileges of the houſe of commons, as that moſt of the ſaid houſe reſted fully ſatisfied, and freed from any ſcruple of having their liberties impeached; and after that, by his majeſty's letters, directed to the ſpeaker, dated 18th December, being Tueſday, his majeſty, at the humble ſuit of the houſe of commons, condeſcended to make this meeting a ſeſſion before Chriſtmas, and for that purpoſe had aſſigned Saturday following. Now upon this very Tueſday, and while the meſſengers from the houſe of commons were with his majeſty at Theobalds, to return thanks unto his majeſty, and therewith an excuſe from them not to make it a ſeſſion, in reſpect of the ſtrait of time whereunto they were driven; which deferment his majeſty admitted of at their deſires, and thereupon gave orders for the adjournment of the parliament until the 8th of February next, which was the firſt day formerly appointed by his majeſty for the meeting together of the parliament; and whilſt their meſſengers were with his majeſty, and had received a gracious anſwer to return unto their houſes; even that afternoon, a committee was procured to be made for taking their liberties into conſideration; and this afternoon a proteſtation was made (to whom, appears not) concerning their liberties; and at ſix a clock at night, by candle light, the

James I. 1621.

James I. 1621.

" the ſame proteſtation was brought into the houſe by the " committee, and at that time of night it was called upon to " be put to the queſtion, there not being the third part of the " houſe then preſent; whereas in all matters of weight, their " uſual cuſtom is, to put nothing of importance to the queſ- " tion, till the houſe be full; and at this time many of them " that were preſent, expected the queſtion would have been " deferred to another day, and a fuller houſe; and ſome then " preſent ſtood up to have ſpoken to it, but could not be " ſeen or heard in that darkneſs and confuſion. Now for the " matter of the proteſtation, it is penned in ſuch ambiguous " and general words, as may ſerve for future times to invade " moſt of the rights and prerogatives annexed to the imperial " crown; the claim of ſome privileges being grounded upon " the words of the writ for aſſembling the parliament, where- " in ſome words, viz. " Arduis Regni," are cunningly " mentioned; but the word " quibuſdam," which reſtraineth " the generality to ſuch particular caſes, as his majeſty " pleaſeth to conſult with them upon, is purpoſely omitted[a]. " Theſe things conſidered, his majeſty did, this preſent day, " in full aſſembly of his council, and in the preſence of the " judges, declare the ſaid proteſtation, to be invalid, annulled, " void, and of no effect; and did further, " manu ſuâ pro- " priâ," " take the ſaid proteſtation out of the journal-book " of the clerk of the commons houſe of parliament, and " commanded an act of council to be made thereupon, and " this act to be entered in the regiſter of council cauſes."

The parliament is diſſolved, January 6. Ruſhworth, t. i. p. 54. Annals, p. 66. Coke, Wilſon, p. 748.

Six days after, the king diſſolved the parliament by proclamation, declaring, he was not obliged to give an account thereof to any, ſince the diſſolving of the parliament, when he pleaſed, was confeſſedly in his power[b]. That however, he was willing to inform the public, it was becauſe the commons took the liberty not only to treat of his high prerogatives which belonged not to them, but alſo to ſpeak diſreſpectfully of foreign princes; that they ſpent the time in diſputing about

[a] Formerly parliaments ſat but a few days, and took into conſideration ſuch affairs only as the king had before ſet forth in the writs of ſummons. But this method being altered, parliaments were called without the occaſion of their meeting being known, and were not limited to the affairs mentioned by the kings in their firſt ſpeeches; and this made their ſeſſion hold ſo long. Rapin. See Elſyng's manner of holding parliaments, p. 7, &c.

[b] His proclamation began with theſe words, " Albeit the aſſembling, con- " tinuing, and diſſolving of Parlia- " ments, be a prerogative ſo peculiarly " belonging to our imperiall crowne, " and the times and ſeaſons thereof ſo " abſolutelie in our owne power, that " wee needе not give account thereof " unto any; yet, &c."

their

their privileges, without regarding the public wants; that some ill-tempered ſpirits ſowed tares among the corn, and by their cunning devices, had impoſed upon him a neceſſity of diſcontinuing the preſent parliament, without putting it to the name or period of a ſeſſion. Then, he declared, that though the parliament was broken off he intended to govern well, and ſhould gladly embrace the firſt occaſion to call another at a proper ſeaſon. James I. 1621.

This proclamation was followed by another, forbidding under ſevere penalties, to talk of ſtate affairs, and charging the judges in their circuits, to put the laws in force againſt licentious tongues. Proclamation forbidding to ſpeak of ſtate-affairs. Wilſon, p. 748.

But the king's reſentment did not end here. Some of the commons, who had appeared moſt zealous to maintain the privileges of the houſe, as Sir Edward Coke [f], Sir Robert Philips, Mr. Selden, Mr. Pym, Mr. Mallery, were committed to priſon. Likewiſe Sir Dudley Diggs, Sir Thomas Crew, Sir Nathaniel Rich, and Sir James Perrot, were ordered into Ireland, to execute a certain commiſſion, the king intending thereby to remove them from their homes, and puniſh them with a ſort of baniſhment. On the other hand, the earls of Oxford and Southampton were ſent to the Tower on ſome ſtudied pretence [g]; but it was eaſy to ſee, it was for ſpeaking too freely in the houſe of peers of the king's conduct. Several members are impriſoned. Annals, p. 66. Wilſon. Coke, p. 121. Ruſhworth.

Till the laſt parliament, the king and the commons had only mutually tried each other, the one to enlarge his prerogative, the other to preſerve privileges, which they looked upon as inconteſtable. But on the preſent occaſion, there was a neceſſity of declaring and acting openly. The king pretended, as appears by his anſwer to the petition of the commons, that their privileges having no other foundation than the conceſſion of the kings his predeceſſors, it was in his power to revoke them if they gave juſt occaſion. The commons, on their ſide, pretended, they enjoyed theſe privileges Cauſe of the difference between the king and commons.

[f] Orders were given for ſealing up the locks and doors of Sir Edward's chambers in London, and in the Temple, for the ſeizing of his papers; and it was debated in council, how he might be excluded from the benefit of the general pardon that ſhould have paſſed this laſt parliament. Ruſhworth, tom. i. p. 55. Annals, p. 66. Sir Edward it ſeems had called the king's prerogative an over-grown monſter. Wilſon, p. 748.

[g] The earl of Oxford was accuſed by one White a papiſt, of having ſpoken ſome words to the diſhonour of the king, and diſparagement of his government, for which he was ſent to the Tower; but the earl of Southampton was committed to the cuſtody of the dean of Weſtminſter, for his freedom of ſpeech, and for rebuking Buckingham in the houſe of Lords. Wilſon, p. 748. Coke, p. 121.

James I. 1621. by ancient and undoubted right, had received them by inheritance from their anceſtors, and the king had no power to take them away. I paſs over in ſilence the conſequences which may be drawn from both theſe principles, if carried as far as the general terms will allow; they are obvious to the meaneſt capacity. I beg leave not to determine ſo difficult a point, but only to make ſome remarks, which I hope will be of uſe for the ſequel of the hiſtory.

Remarks on this difference.

Firſt, it is very difficult, in my opinion, and perhaps impoſſible to eſtabliſh upon fixed principles, as well the royal prerogatives of the kings of England, as the privileges of the parliament and the houſe of commons in particular. We muſt except ſuch as are allowed on both ſides, ſince this mutual conſent is of no leſs force than a Law. Cuſtom therefore and precedent are the only foundation on which to eſtabliſh their reſpective rights.

The Anglo-Saxons, who conquered Britain, had no kings in thoſe parts of Germany where they inhabited before their coming into England: their government was ariſtocratical. Seven of their chiefs, by whom Britain was conquered, aſſumed the title of Kings, which was never before in uſe among them.

It muſt be obſerved, as a very neceſſary point, that the dominion of theſe new kings did not properly extend over the conquered people, namely, the Britons, who were almoſt all driven into Wales and Cornwal, but over the conquerors themſelves among whom the ſubdued country was divided. Hence it is evident that the right of conqueſt, which might be alledged in favour of theſe firſt kings and their ſucceſſors, is wholly excluded.

It is very likely, not to ſay certain, that the parliament of England is as ancient as the monarchy, though ſome diſpute it, but in my opinion without any foundation [h]. At leaſt, the time cannot be aſcertained when the parliament firſt began. But it is very difficult to prove the commons were ſummoned to parliament and voted there.

On the other hand, it cannot be doubted theſe firſt kings had great prerogatives, which were much increaſed by their ſucceſſors. But I believe it may be taken for granted, that in general neither the king's prerogatives, nor the people's privileges, owe their original to the laws: conſequently, they can neither be limited nor enlarged, but as warranted by examples and precedents. Now theſe precedents are ſo contrary

[h] See the Diſſertation, vol. i. of this Hiſtory.

one

one to another, that there is no forming any fixed and cer- James I.
tain rules: and what cauſes moſt difficulty in the matter, is 1621.
the ambiguity of the terms; and firſt, in the word Parliament.

If the parliament is conſidered as compoſed of the king and the two houſes, an unlimited power, with reſpect to the affairs of the kingdom, may without fear be aſcribed to it. But if the parliament is ſuppoſed to conſiſt only of the two houſes without the king, it cannot be denied that its rights are limited. The two houſes are properly the whole nation, excluſive of the king. They have their privileges; but it belongs not to them to extend them as they pleaſe: the king's conſent is neceſſary to that end. This is ſtill more true, when one of the houſes acts alone, without the concurrence of the other: for then it repreſents but part of the nation, who cannot lawfully claim any other rights than thoſe which are granted either by ſome law, or by the tacit conſent of the king and the other houſe. It is very certain, that to each of the two houſes belong ſeparate rights and privileges; and that the two houſes together, though parted from the king, have alſo their privileges: but the queſtion is, to know how far they reach, and whether the king alone ought to be judge.

The term Prerogative-royal is liable to no leſs ambiguity than the word Parliament. It is a looſe and general term, which gives only a very confuſed idea of the thing ſignified. If it is a right common to all that bear the title of King, the prerogative-royal muſt be the ſame every where, and the kings of England and Poland will be as abſolute as the king of Perſia. If it has bounds, by whom were they ſet? Or, what are the bounds which it cannot exceed? I believe it is no leſs difficult to reſolve theſe queſtions, than thoſe concerning the privileges of the parliament. But as the prerogative-royal includes many particular rights, let us examine, for inſtance, the power challenged by James of revoking the privileges of the houſe of commons. From whence had he this particular prerogative? Was it a right common to all kings? But there are in the world kingdoms without parliaments or a houſe of commons. Was this prerogative as ancient as the Engliſh monarchy? But he himſelf would not grant the houſe of commons to be ſo ancient. Was it from ſome law? but he produced none. Was it by a tacit conſent or by uſurpation? But the thing had never happened before. Was it, in fine, upon this general maxim, that whatever is granted by one king, may be revoked by another? But, beſides that this no undeniable principle, eſpecially after an un-

James I. 1621. interrupted poſſeſſion for many ages, the king would have been very much puzzled to name the kings who had granted the commons their privileges. Thus king James ſuppoſed, that the prerogative was a thing fixed, inconteſtable, known to all the world, though nothing was more indeterminate, or of leſs known extent and limits.

Let us conſider now what were thoſe rights, liberties, privileges, claimed by the commons as their ancient and undoubted birth-right and inheritance. Theſe are all uncertain and general terms, of which we cannot have a clear and diſtinct idea, without applying them to particular caſes. But what was ſaid concerning the royal prerogative, may be applied here. How came the commons by theſe rights? How far did they reach? Where were their bounds? This would be very difficult to fix. James perhaps went too far, when he would have entirely deprived the commons of the right of repreſenting to him the nation's grievances, and of the liberty to debate, reaſon, and ſpeak in the houſe what was thought proper. But if, under colour of theſe rights, the commons would take upon them to adviſe the king upon all occaſions, and ſpeak injuriouſly of his majeſty in their houſe, upon what would they ground ſuch privileges?

Since therefore it is ſo difficult to decide the queſtions concerning the prerogative royal, and the privileges of both houſes, or of each in particular, prudence and good policy require that kings and parliaments avoid as a rock the engaging in ſuch diſputes. Accordingly, we may have obſerved in the peruſal of this hiſtory, that the wiſeſt, the moſt illuſtrious kings, thoſe whoſe merit is moſt univerſally acknowledged, as Edward I. Edward III. Henry V. Edward IV. Henry VIII. Elizabeth, never had any conteſts of this nature with their parliaments. On the contrary, thoſe that were leaſt eminent for their prudence and capacity, ſuch as Henry III. Edward II. Richard II. were ruined for raiſing ſuch ſorts of diſputes. James is the firſt who in thoſe latter days ingaged in this quarrel. He was followed by his ſon and grandſons, and theſe princes inſtead of ſucceeding in their projects, only rendered themſelves moſt unhappy. A wiſe and prudent king of England, who knows his own intereſt, will never quarrel with his parliament; and a parliament, whoſe ſole view is the kingdom's welfare, will take care never to queſtion the king's juſt prerogative; nay, they will rather chuſe to ſee it ſtretched a little too far, than run the riſk of breaking a union, which is the ſole foundation of the public happineſs. I hope I ſhall be forgiven this digreſſion, which to me ſeems of uſe

to inform the reader, and help him to judge impartially of the difference, which aroſe in this, and produced ſo many calamities in the following reign. James I.

The diſſolution of the parliament, and the little likelihood of the king's ever calling another, could not but be attended with ill conſequences. The king forfeited, by this proceeding, not only the love and eſteem of great part of his ſubjects, but alſo the regard of foreigners. When he was thus embroiled with his people, it was univerſally concluded he could be no longer either a friend to be relied on, or an enemy to be feared. On the other hand, the nation could not reflect without terror, that they were going to be expoſed to an arbitrary power, ſince there were to be no more parliaments to keep the prerogative royal within due bounds. But the worſt effect produced by the rupture between the king and the parliament, was the diviſion among the ſubjects, who continually joined with the two oppoſite parties, which ſubſiſt to this day, with ſome difference, under the names of Tories and Whigs. 1622. Ill conſequences of diſſolving the parliament.

Theſe two parties, which began to be formed, were contented at firſt with mutual diſputes, in defence of the king's or the people's rights, in reſpect of what had cauſed the diſſolution of the parliament. The royaliſts ſaid, the commons meant to make the Engliſh monarchy a republic: that in meddling with ſtate-affairs, and adviſing the king concerning the management of the kingdom and his own family, they ſhowed they aſpired to no leſs than governing the ſtate, ſince they would never want pretences to give the king counſel, which if he refuſed to comply with, he would, by that very thing be deprived of the neceſſary aids for defence of the realm, and conſtrained to receive law from foreign princes: that England was originally a monarchy, and had ever continued upon the ſame foot; but the foundations were going to be undermined, by making the king ſubject to the parliament; that at firſt, remonſtrances only were made to the king, afterwards councils were added; but theſe councils would ſoon be converted into inſtructions, and the inſtructions into orders and commands; in a word, if the commons were ſuffered to proceed, the king would quickly become a mere doge: that the commons had the leſs right to pretend to the government of the ſtate, as the ſtate had ſubſiſted five hundred years without them, ſince it was about the end of Henry III's reign, and during the earl of Leiceſter's uſurpation, that the repreſentatives of the people were firſt admitted into the parliament. In ſhort, that it was a ſtrange thing, that under a monarchical Reaſons alledged for and againſt the king.

James I. 1622. monarchical government, the people, or their repreſentatives, ſhould tell the king how he was to govern his kingdom: that ſuppoſing the people had ſuch a right, it would be neceſſary to impart to them all the ſecrets of the ſtate, and conſult them about alliances and treaties, peace and war; but as this had never been practiſed, it followed of courſe that the ſuppoſition was falſe, and the people were called to parliament only to ſupply the king's wants, and to ſettle the taxes and impoſitions in a manner the leaſt burthenſome to the ſubjects: that indeed as to the laws concerning the internal government of the ſtate, it was thought proper to enact them with the conſent of the people who were to be ſubject to them, that they might be the better executed; but no conſequence could thence be drawn, either for foreign affairs, or for the execution of theſe laws, which was left to the king alone, or for the general government of the realm.

The favourers of the people ſaid in their turn, that the king was not ſatisfied with England's being a monarchy, but would make it an abſolute monarchy: that he affected to confound the ſeveral kinds of monarchies, whereof ſome were more, others leſs abſolute, in order to acknowledge but one ſort, to which he aſcribed an unlimited power: that the Engliſh monarchy was not of this kind, but began with the parliament, which being as ancient as the royalty, formed, together with the ſovereign, the abſolute power, the king would aſſume to himſelf alone: that the parliament had their privileges, as the king had his, nor could be deprived of them, without deſtroying the nature and conſtitution of the Engliſh government: that the parliament repreſented the whole nation, who were as much or more concerned in the welfare of the ſtate than the king himſelf: that indeed the king had his undoubted prerogatives; but they were intended for the welfare and preſervation, and not for the ruin of the ſtate: that whilſt he kept within theſe bounds, and acted only for the benefit of the kingdom, he anſwered the end and intent of his prerogatives; but it was deſtroying the conſtitution, to pretend that his prerogative royal gave him power to ſubvert the laws, to make alliances repugnant to the good of the realm, to render the nation contemptible in the eyes of foreigners, to expoſe religion to the danger of being ruined, through an extreme careleſſneſs and condeſcenſion for its enemies: that in ſuch a caſe, as he ſwerved from the end and deſign of his prerogative, it was the people's or their repreſentative's buſineſs to ſhow him the inconveniences of his conduct, propound means to prevent them, and give him proper advice for their

cure:

cure: that if this were not ſo, it would follow the king would be abſolute and arbitrary, might ruin and deſtroy the kingdom at his pleaſure, trampled upon the eſtabliſhed laws, oppreſs the ſubjects, take away their lives and fortunes, which was directly contrary to the conſtitution of England: that as to the reſt, it evidently appeared, the king was labouring to reduce the privileges of the parliament to little or nothing. Does the parliament repreſent to him the people's grievances? It may, ſays he, from thence be inferred that the king governs ill, and this tends to alienate from him the love of his ſubjects. Is he deſired to put the laws againſt recuſants in execution? He anſwers, that affair muſt be left to his care, he knows what is proper to be done: he is an old experienced king, who has no need to be taught, and yet he is not ſeen to do the leaſt thing towards redreſſing the grievances complained of. Do the commons repreſent to him that the prince his ſon's marriage with the Spaniſh infanta may be of very ill conſequence to religion? He replies, they have no buſineſs to meddle with his family-concerns. Do they ſtrive to make him ſenſible that the proteſtant religion is in danger of being deſtroyed throughout Europe, for want of aſſiſtance, and that the king of Spain amuſes him with fair promiſes, whilſt he is over-running the Palatinate? He anſwers, theſe are matters of ſtate, too high for the people's repreſentatives, who have neither wiſdom nor capacity enough to comprehend the myſteries of government: "Ne ſutor ultra crepidam." In a word, he reduces the privileges of the commons to adviſing the king when he ſhall do them the honour to aſk it, and to ſupplying him with money when he demands it on any pretence, tho' the pretence be evidently falſe, ſince he will not ſuffer his reaſons to be examined. But this is not all: he plainly tells the commons, their privileges are only conceſſions of himſelf and predeceſſors and intimates that they ſhall keep them no longer than their ſubmiſſion makes them worthy of them. Is it poſſible, ſay they, to give plainer marks of a ſetled deſign to uſurp an arbitrary power? Suppoſing the commons were not called to parliament till the reign of Henry III. which however cannot be proved, have they not been ever ſince an eſſential part of parliament, and conſequently have they not an undoubted right to all parliamentary privileges? James I. 1622.

This is part of what was then ſaid on both ſides, and is what ſerved to cherish diviſion between the two parties, who have not ceaſed ever ſince to revile one another. It is eaſy to gueſs which of the two parties the puritans joined with: they loved not the king, who, on his part, diſcovered on all occaſions

The puritans are for the people.

James I. 1622. occaſions that he was their mortal enemy. But, as I ſaid, there were two ſorts of puritans, ſtate-puritans and church-puritans. Before the king declared himſelf ſo openly with reſpect to his prerogative-royal, the ſtate-puritans were few, becauſe the king having gone no great lengths, his intention was yet only ſuſpected: but after the diſſolution of the third parliament, their number greatly increaſed; and the king, through a policy very deſtructive of his intereſts, always affected to confound theſe two ſorts of puritans: he thereby forced them to make but one party, though they were united only in a ſingle point, namely, in oppoſing the maxims of the court. The church-puritans, who before made no figure in the kingdom, ſuddenly formed a very conſiderable party by the junction of the ſtate puritans. This party grew in the end ſo powerful, that they overthrew the eccleſiaſtical hierarchy, and the monarchy itſelf: but this happened not till the following reign.

The Arminians are for the king. Wilſon. p. 757.

On the other hand, the king's party was ſtrengthened by the junction of the Arminians, who were very numerous. Arminius's doctrine had bred diſputes in England, though with leſs noiſe than in Holland. Many clergymen had embraced this doctrine, though condemned by the ſynod of Dort, whoſe authority they did not acknowledge, and notwithſtanding the king's open profeſſion to reject Arminius's tenets. Theſe men improving the opportunity ariſing from the diſcord between the two parties, readily joined with the royaliſts, and from that time were as much careſſed at court as they were hated before. By this means William Laud, a clergyman of great parts and learning, was qualified, though Arminian, to be promoted to the ſee of St. David's by the marquis of Buckingham's intereſt, who deſired the biſhop of Lincoln[i] to recommend him to the king. It was however with ſome difficulty that the king agreed to his preferment, being prejudiced againſt him on account of his proud and turbulent ſpirit[k]. After the Arminians had lifted themſelves in the king's party, they were in the height of proſperity, favoured by the courtiers, who were labouring to hinder the growth of puritaniſm. On the other hand, the papiſts alſo declared openly for the king, becauſe it was by an abſolute power

Coke.

Hacket's Life of Williams, p. 63, 64.

The papiſts embrace the ſame party.

[i] The lord keeper Williams.—Archbiſhop Abbot had repreſented him to the king as unſound in religion, becauſe he was an Arminian. Hacket. p. 63.

[k] The king told the lord keeper, "I kept Laud back from all place of "rule and authority, becauſe I find he "hath a reſtleſs ſpirit, and cannot ſee "when matters are well, but loves to "toſs and change, and to bring things "to a pitch of reformation floating in "his own brain," etc. See Hacket, p. 64.

alone

alone that they could obtain their desires; whereas the parliament was their professed enemy. In fine, most of the clergy espoused likewise the king's side, looking upon him as the only person capable of supporting them against the attempts of the puritans, whose number continually increased. James I. 1622. as do the clergy also.

The two parties being thus composed of men of different kinds and sentiments, mutually upbraided one another with what was most odious in each party. The royalists confounded, under the name of puritans, all who opposed the king; and the puritans taxed all the royalists with being papists or Arminians[l]. Mutual reproaches of the two parties. Clarendon.

This division, which began to be remarkable in England, did not serve to establish the king's reputation abroad. It was now two years since his son-in-law's dominions were invaded by the Spaniard and the duke of Bavaria, and he was not seen to take any effectual course for their recovery. Embassies and sollicitations were the only arms he employed for that end[m]. The king of Spain had amused him four or five years with the hopes of a marriage which advanced not, and by that means tied up his hands, whilst he seized the Palatinate. In short, when all Europe expected he would see the interests of his kingdom, his family, and his own, and take some vigorous resolution, it was heard that he was irreconcileably fallen out with his parliament. Whereupon he was despised abroad, and insults quickly followed contempt. In the Netherlands he was publicly ridiculed on their stages: comedies were acted, with messengers hastily bringing news that the Palatinate was going to be lost; considering the numerous forces that were sending thither by the king of Spain's enemies: the king of Denmark was to find a hundred thousand pickled herrings; the Hollanders a hundred thousand butter-boxes; and the king of England a hundred thousand ambassadors. In one place king James was pictured with a scabbard without a sword, in another with a sword which could not be drawn, though divers persons The king is lightly esteemed abroad. Wilson. Rushworth. Pasquils made upon him in the Netherlands Wilson, p. 749. Coke, p. 126.

[l] The lord Clarendon rightly observes how much these two parties misrepresented one another: the puritans endeavoured to persuade the people that all who held with Arminius did intend to introduce popery: and the other side was no less willing to have it thought, that all who adhered to Calvin, in the controversies about predestination, did in their hearts likewise adhere to him with reference to the discipline, and desired to change the government of the church: though in truth the one side was not inclined to popery, and very many of the other were most affectionate to the peace and prosperity of the church, and very pious and learned men. Clarendon, tom. i. p. 72.

[m] Whereupon it was said, that the king might almost have purchased such a country as the Palatinate with the money spent on embassies. Wilson, p. 748.

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James I. 1622. stood pulling at it[n]. In England itself the almoſt-forgotten ſtory of David Rizzo was revived. But what moſt troubled the contrary party to the king, was to ſee Buckingham govern ſo abſolutely, that the king ſeemed to have made his favorite his maſter. None were admited to places but papiſts, Arminians, or ſuch as were reckoned to have little or no religion. In ſhort, ſuch only paſſed for proteſtants with the court, as were for the royal prerogative in its utmoſt extent, let their religion be what it would. All the reſt were puritans. Abbot himſelf, archbiſhop of Canterbury, was reckoned among the puritans, becauſe he approved not of the court-maxims. He had the misfortune in the year 1622, to kill a man with an arrow as he was ſhooting at a buck[o], and this accident occaſioned his being deemed incapable of performing any longer the functions of a biſhop. Wherefore he reſolved alſo to ſave himſelf the trouble of going to the council, where his advice was little regarded, as coming from a perſon of puritan-principles.

The archbiſhop of Canterbury is reckoned a puritan. Wilſon. p. 751.

He kills a man accidentally, and retires from court. Ibid. Ruſhworth, Cabala.

Whilſt the people were in this ſort of fermentation, the king wanted money. He had a mind to ſend Digby to Spain, and Weſton to Bruſſels[p], to finiſh at once the marriage and the affair of the Palatinate. Beſides, Buckingham and his relations were a gulph which could not be filled. There was no likelihood of a new parliament, after the king's late proceedings. Though a parliament could have been perſuaded to give the king money, it would not have been till after their privileges were ſecured at the expence of the prerogative-royal, and the king thought the remedy worſe than the diſeaſe. Recourſe therefore was to be had to extraordinary methods. The ſpeedieſt and moſt ſure ſeemed to be the exacting from the people a contribution under the name of benevolence. As the court knew, if ſome conſtraint were not

The king exacts a benevolence. Ruſhworth, tom. i. p. 60. Annals, p. 68. Coke.

[n] In Bruſſels they painted him with his pockets hanging out, and not one penny in them; and his purſe turned upſide down. In Antwerp they painted the queen of Bohemia like a poor Iriſh mantler, with her hair hanging about her ears, her child at her back, and king James carrying the cradle after her; and every one of theſe pictures had ſeveral motto's expreſſing their malice. Coke, vol. i. p. 126.

[o] On July 24, in Barmſhill-park in Hampſhire, belonging to the lord Zouch, who had invited the archbiſhop to a buck-hunting. Peter Hawkins, the keeper, running among the herd of deer, to bring them to the fairer mark, the archbiſhop ſitting on horſeback, let fly a barbed arrow from a croſs-bow, which unfortunately ſhot the keeper in the fleſhy part of his left arm, who died immediately of the wound. Hacket, p. 65. The king granted the archbiſhop a pardon for this November 22, this year. See Rymer's Fœd. tom. xvii. p. 337.

[p] It was by Weſton's help, that the elector Palatine and his lady, found means, though with much difficulty, to eſcape to the Hague, having nothing elſe to ſupport them but patience and hope, the only and ordinary comfort of thoſe deprived of all help beſides. Oſborn, ſect. 47.

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uſed, the people's liberality would not go very far, the judges were ordered in their circuits to demand a benevolence, and to intimate withal, that the king would not be ſatisfied with what ſhould be voluntary offered, if it was not proportionable to the giver's abilities. To that purpoſe the council directed a circular letter to the judges, concluding with theſe words: "Nevertheleſs, if any perſon ſhall, out of obſtinacy or diſ- "affection, refuſe to contribute herein, proportionably to "their eſtates and means, you are to certify their names unto "this board. And ſo recommending this ſervice to your beſt "care and endeavour, and praying you to return unto us "notes of the names of ſuch as ſhall contribute, and of the "ſums offered by them [q]." The excuſe for this levy of money, was the king's pretended reſolution to recover the Palatinate by arms, after having in vain tried gentle means. It will hereafter appear how this reſolution was executed. James I. 1622. Ruſhworth, tom. i. p. 60.

The king's project was to conclude the prince his ſon's marriage, and receive the dowry of two millions, before he demanded the reſtitution of the Palatinate, for fear the Spaniard ſhould pretend that the reſtitution was to be in compenſation of the dowry. After that, he hoped the king of Spain, out of friendſhip, and in conſideration of their alliance, would ſurrender the Lower Palatinate to his ſon-in-law, and oblige the emperor and the duke of Bavaria to reſtore him the Upper. This was all he intended to do for his daughter and ſon-in-law. That this was his deſign, manifeſtly appears in his inſtructions to the lord Digby, before his departure for Spain, wherein he was expreſsly ordered, "not to make the affair "of the Palatinate one of the marriage-articles." The king however would have the public believe, that his chief aim in the Spaniſh match, was to procure his ſon-in-law the reſtitution of the Palatinate. This doubtleſs was one of thoſe myſteries of ſtate which could not be comprehended by the commons. Perhaps he really hoped, the reſtitution would immediately follow upon the marriage: but this hope was built on a very ſandy foundation. In all appearance Gondemar inſpired him with ſo chimerical an expectation. The king's Project. Ruſhworth.

However, James, being intirely bent upon this project, ſent Digby ambaſſador extraordinary to Spain, to conclude the marriage-treaty jointly with Sir Walter Aſton, who had been Digby is ſent into Spain. Act. Pub. xvii. p. 300. Cabala. Wilſon, p. 749. Ruſhworth, tom. i. p. 56, 60. Annals. ſome

[q] Letters to the ſame effect were directed to the high-ſheriffs, and juſtices of the peace of the ſeveral counties, and to the mayors and bailiffs throughout the kingdom, and for making choice of collectors, &c. Ruſhworth, tom. i. p. 61.

James I. 1622. some time at the court of Philip IV [r]. The articles concerning religion were already ſettled, but the reſt were not to be talked of, till the pope's diſpenſation was obtained, for fear of labouring in vain. This was an artifice of the Spaniſh court, to prolong the affair, in order to have time to finiſh the conqueſt of the Palatinate, whilſt the diſpenſation was expected, which to haſten or delay was, probably, in the king of Spain's breaſt. Mean while, the hopes of a ſpeedy concluſion of the marriage, of the dowry of two millions, and of the reſtitution of the Palatinate, ſo tied up the king's hands, that he durſt not take the leaſt ſtep to offend the Spaniard, for fear of defeating ſo noble a project. Therefore, whenever he talked of engaging in a war for the recovery of the Palatinate, it was always with this reſtriction, if he could not obtain it by fair means, becauſe he thought himſelf ſure of the ſucceſs of his negotiations. It is therefore certain, that when he demanded money of the parliament, or exacted the benevolence on the people, it was not with deſign to prepare for war, though that was the pretence, ſince a breach with the houſe of Auſtria was inconſiſtent with his project.

Digby made earl of Briſtol. Wilſon. Ruſhworth.

When Digby, who was this year created earl of Briſtol [s], ſet out for Spain, the king ſent Gage to Rome, to ſollicite the diſpatch of the diſpenſation, without which the new ambaſſador could not proceed at Madrid. But to render Gage's inſtances more effectual, it was neceſſary to ſhow the pope, the king was not a perſecutor of the catholics. Not but that he had already given very convincing proofs: however he thought he ſhould on this occaſion give a ſtill ſtronger one, by releaſing all the impriſoned recuſants [t]. This was done publicly and openly, by writs under the great-ſeal to the juſtices of aſſize, with a letter from the lord-keeper Williams, exhorting them punctually to obey the king's orders. Theſe writs, contrary to the law, to the commons remonſtrance, and to the king's own anſwer to their petition, occaſioned many ſevere cenſures upon the king's conduct. As this affair made a noiſe among the people, the lord-keeper was ordered to vindicate the king by a public writing. This vindication begins with this no-

Gage is ſent to Rome to forward the diſpenſation Wilſon. p. 750.

The impriſoned recuſants are all releaſed. Ruſhworth. tom. i. p. 62.

The lord keeper's vindication of the king. Ruſhworth. tom. i. p. 63. Annals, p. 69.

[r] The lord Digby carried letters from king James and prince Charles, to the king of Spain, and one from the king to the lord Balthazar of Zuniga, which the reader may ſee in Ruſhworth, tom. i. p. 57, &c. The lord Digby, upon his arrival in Spain, was ſtrangely neglected by the Spaniſh court, as the reader may ſee in Wilſon, p. 749, 750.

[s] He was created 18 September 15, and at the ſame time, James Hay viſcount Doncaſter, was created earl of Carliſle, William viſcount Fielding earl of Denbigh, and Lionel lord Cranfield earl of Middleſex. Dugdale. vol. ii. p. 437, &c. Howes, p. 1034.

[t] Gondemar uſed to boaſt, that four thouſand recruits had been releaſed thro' his intercеſſion. Wilſon, p. 750.

He

ble compariſon: "As the ſun in the firmament appears to us no bigger than a platter, and the ſtars but as ſo many nails in the pummel of a ſaddle, becauſe of the enlargement and diſproportion between our eye and the object; ſo is there ſuch an unmeaſurable diſtance between the deep reſolution of a prince, and the ſhallow apprehenſions of common and ordinary people, that as they will ever be judging and cenſuring, ſo they muſt needs be obnoxious to error and miſtaking." Then he gives two reaſons, both very falſe, of his conduct. The firſt is, that as the king was now ſoliciting very zealouſly for ſome eaſe to all the proteſtants in Europe, it would be unreaſonable to execute at the ſame time the laws againſt the Roman catholics. The ſecond, that the Engliſh jeſuits had publiſhed a book to excite the French king to execute in his kingdom againſt the Huguenots, the ſame laws as thoſe enacted in England againſt the papiſts. "But, added the biſhop, to conclude, from the favour done to the Engliſh papiſts, that the king favours the Romiſh religion, is a compoſition of folly and malice, little deſerved by a gracious prince, who by word, writing, exerciſe of religion, and acts of parliament, hath demonſtrated himſelf ſo reſolved a proteſtant." James I. 1622.

I obſerved that about the latter end of the laſt year, the emperor ſent count Schwartzemburg to the king, to treat of the affair of the Palatinate. This ambaſſador being pompouſly received at London, as witneſſing the emperor's regard for the king, could produce no powers when he came to talk of affairs. It was the archduchess Iſabella that was impowered by the emperor to conclude the truce deſired by the king. There was a neceſſity therefore of going to negotiate at Bruſſels with the archduchess and the envoys of ſome proteſtant princes. The king choſe for this employ Sir Richard Weſton, chancellor of the exchequer, probably becauſe he thought his religion would advance the negotiation. But, to gain the infanta's favour, he made uſe of another means alſo. He permitted the lord Vaux, a papiſt, to raiſe two thouſand men in England, to ſerve the infanta againſt the United Provinces, and the proteſtant princes their allies. By ſuch means as theſe, the king hoped to ſucceed in his negotiations. We ſhall ſee preſently the event, but it will be neceſſary firſt to mention what paſſed in Germany during the year 1622.

Iſſue of count Schwartzemburg's negotiation. Du Cheſne.

Weſton ſent to Bruſſels. Ruſhworth. tom. i. p. 6.

Vaux is permitted to raiſe men for the ſervice of the infanta againſt the ſtates. Du Cheſne.

The king of Bohemia, plainly perceiving the king his father-in-law uſed very ineffectual methods to reſtore him to his

* Four thousand, ſays Wilſon, p. 753.

James I. 1622.

Affairs of Bohemia. Hiſtory of the rebell. of Bohemia. Coke. Wilſon.

dominions, believed it adviſeable to proceed ſome other way. He was ſtill maſter of Manheim, Heidelberg, and Frankendal; and count Mansfeldt, though withdrawn into Alſatia, had it ſtill in his power to re-enter the Lower Palatinate. In order to improve this laſt remedy, he agreed with prince Chriſtian of Brunſwick, adminiſtrator of the biſhopric of Halberſtadt, who had accompanied him to the Hague, to raiſe an army in Weſtphalia, and join Mansfeldt. At the ſame time he made the like agreement with the prince of Baden-Durlac, who promiſed alſo to levy an army for the ſame purpoſe. It is likely, the Hollanders ſupplied the money for theſe levies, on account of the advantage they ſhould reap from this powerful diverſion. Theſe two princes kept promiſe with the king of Bohemia, and each headed ten or twelve thouſand men. The difficulty was how to enter the Lower Palatinate, where the Spaniards were very ſtrong. However, the thing not appearing impracticable, the prince of Brunſwick took the field in Weſtphalia, and ſeized ſome places in the county of Marck. This drew upon him a detachment of the Spaniſh army from the Low Countries, commanded by count Henry de Bergh, who was joined by the count of Anhalt with another detachment of the army of Bavaria, commanded by count Tilly in the Palatinate. By this means, prince Chriſtian ſaw himſelf detained ſome time in Weſtphalia. But at length, the count of Bergh being recalled, he was at liberty to advance. On the other hand, it was not eaſy for the prince of Baden to enter the Palatinate, all the paſſages being ſtopt up by count Tilly and Gonſales of Cordova.

Mean while, the king of Bohemia departing privately from the Hague, on board a ſmall veſſel, and landing at Calais, travels through France and ſafely arrived at Mansfeldt's army, who was advanced to Germerſheim. Here they impatiently expected the approach of the two armies coming to their aſſiſtance. It would be needleſs to give a particular account of the march of theſe two armies, and the obſtacles they met with from the Spaniards and Bavarians. It will ſuffice to ſay, the prince of Baden was defeated the ſixth of May: that afterwards the king of Bohemia and Mansfeldt marching to prince Chriſtian, met count Tilly, who put them to rout, and forced them to retire to Manheim. This battle was fought the 12th of June. Eight days after, Tilly alſo attacked prince Chriſtian, who was advanced to the borders of the Palatinate; and though he gained ſome advantage over him, could not however prevent his paſſing to Manheim with good part of his troops.

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Some time after, the Spaniards and Bavarians were ſo ſtrongly recruited, that their army conſiſted of above fifty thouſand men, with which they almoſt ſurrounded their enemies, who were encamped between Manheim and Heidelberg. Wherefore the king of Bohemia, deſpairing ever to recover what he had loſt, returned to Holland. After his departure, the prince of Brunſwick and count Mansfeldt reſolved to join prince Maurice in the Low Countries, and marched through Lorrain. As they were obliged to take a compaſs, Gonſales de Cordova parting from Tilly, went and expected them at Brabant, to hinder their paſſage. The two armies meeting between Namur and Bruſſels, fought with equal ſucceſs; but the prince of Brunſwick loſt an arm by a cannon ball. After the battle, Mansfeldt continued his march towards Holland. James I. 1622.

Mean while, count Tilly having no enemy to oppoſe him in the Lower Palatinate, carried Heidelberg by ſtorm [w], took Manheim by a long blockade, and then beſieged Frankendal [x]. Heidelberg and Manheim taken, and Frankendal beſieged.

Whilſt the king of Bohemia was in the Palatinate, conferences were held at Bruſſels, to procure a truce for that unfortunate country, according to the king of England's deſire, though he was not impowered by the king his ſon-in-law, for whom, at this juncture, a truce was not convenient. In the negotiation two difficulties immediately occurred, which ſerved to prolong it. The firſt was, the Engliſh ambaſſador had not ſufficient powers from the king of Bohemia and his allies. James had doubtleſs imagined, that ſince this truce was negotiating on his account, it ſufficed to treat with him. But the Spaniards gave to underſtand, they could only treat with the principal parties. There was occaſion therefore to ſend to the Palatinate for full powers from the king of Bohemia, who was not in haſte to diſpatch them; whilſt he had any hopes of ſucceeding in his enterprize. But at laſt, ſending theſe powers when he ſaw his affairs declining, another difficulty of the ſame nature occurred at Bruſſels. The archduchеſs had no other power than the emperor's bare letter, deſiring her to conſult with the Engliſh ambaſſador concerning a truce for the Lower Palatinate [y]. From that time the king of Bohemia's affairs daily growing worſe, the archduchеſs and. Negotiation at Bruſſels. Du Cheſne. Hiſtory of the rebell. of Bohemia. Ruſhworth. The king is amuſed.

[w] The famous library there was carried to Rome, and put into the Vatican. Welwood, p. 27.

[x] Sir Horatio Vere was the Engliſh commander in Manheim, Sir Gerard Herbert, governor of Heidelberg caſtle, and major Burroughs of Frankendal. Herbert was ſlain, after breaking three pikes with his own hand, in repulſing the enemies from the aſſault. Wilſon, p. 757.

[y] All that Weſton obtained, was only letters of intreaty from the infanta to the emperor's general to proceed no farther. Ruſhworth, tom. i. p. 65.

James I. 1622. count Schwartzemburg prolonged the affair on divers pretences, till Heidelberg was taken, and Manheim closely blocked up. Then James writ to the king of Spain, to desire him to order that the affairs of the Palatinate might remain in their present state, till the conclusion of the truce, and the blockade of Manheim was raised. Philip feigned to have this condescension for him, but before his letter to the archduchess was received, Manheim was taken. Nay, it did not hinder count Tilly from besieging Frankendal, which he would have also taken without scruple, had not the overflowings of the rivers forced him to raise the siege. Thus was the king amused with vain hopes, whilst the conquest of the Palatinate was compleating. He perceived it at last, but at the same time was told, the prince his son's marriage was so near a conclusion, that he could not think of hazarding a miscarriage in that affair, by insisting too strenuously on the restitution of the elector's dominions. This may be clearly seen in his letters to the earl of Bristol, his ambassador in Spain, of which I shall here give some extracts.

Sept. 16.

Novemb. 4.

He deceives himself.

Sept. 9, 1622.

" Right trusty, and well-beloved,

The king's letter to the earl of Bristol. Wilson. Rushworth, tom. i. p. 68.

" YOUR dispatch of the 9th of August, gave us so much contentment, and so great hopes of satisfaction in all " those businesses, which you have there to treat with that " king, as we could not expect any further difficulties; notwithstanding by that which has come to our hands immediately after, as well by George Gage from Rome, as by " our ambassador Sir Richard Weston at Brussels, and our " ministers in the Palatinate; we find that neither the dispensation is granted for the match, nor the treaty of cessation so near a conclusion, as we conceived it would have " been, now that the auxiliaries and all other obstacles " are removed. But on the contrary side, that new delays " and excuses are invented, our garrisons in the Palatinate " in the mean time blocked up, Heidelberg itself actually " besieged—

" Therefore our pleasure is, that you shall immediately, " and with as much speed as you may, crave audience of " that king, and represent unto him the merit which we may " justly challenge unto ourself, for our sincere proceedings " with the emperor and him in all the course of this business, " notwithstanding the many invitations and temptations " which we have had, to engage ourself on our son-in-law's

" part.

" part. That we have had both from the emperor and him James I
" hopes given us from time to time of extraordinary reſpect, 1622.
" howſoever our ſon in-law had deſerved, which we have at-
" tended and expected even to the very laſt, with much pa-
" tience, and in deſpight (as it were) of all the oppoſition
" that hath been made to ſhake our reſolution in that behalf.
" If now, when all impediments are removed, and that the
" way is ſo prepared, as that the emperor may give an end
" unto the war, and make ſome preſent demonſtration of his
" reſpects towards us, in leaving us the honour of holding
" thoſe poor places which yet remain, quietly and peaceably
" until the general accommodation, the ſame ſhall neverthe-
" leſs be violently taken from us, what can we look for,
" when the whole ſhall be in his hands and poſſeſſion? Who
" amuſing us with a treaty of ceſſation, and protracting it in-
" duſtrioufly, (as we have reaſon to believe) doth in the mean
" time ſeize himſelf of the whole country; which being done,
" our ambaſſador ſhall return with ſcorn, and we remain with
" diſhonour."

" I ſhall not need to furniſh you with arguments for the
" unfolding and laying open this unfriendly dealing more
" plainly unto them; your own reaſon and obſervation will
" find enough out of the diſpatches, whereof copies are ſent
" unto you; as namely, the withdrawing of the Spaniſh
" forces, and leaving the buſineſs wholly in the hands of the
" emperor and the duke of Bavaria; the ſtile of the infanta,
" in anſwering our ambaſſador with recriminations; which
" was not her manner heretofore; the ſlight and frivolous
" anſwer given by the marquiſs of Bedmar unto our ambaſſa-
" dor, when he acquainted him with the ſiege of Heidelberg;
" the quarrellous occaſion taken by the emperor for calling
" the diet at Ratiſbon, contrary to his own promiſe, which,
" in his diſpatch to us, he confeſſeth to have broken, as you
" will ſee by the copy: All which, and many more, which
" your own judgment (in the peruſal of the diſpatches) will
" ſuggeſt unto you, do miniſter unto us cauſe ſufficient of
" jealouſy on the emperor's part, as you ſhall plainly tell
" that king; although we will not do him that wrong, as to
" miſtruſt that he gives the leaſt conſent to it. In this con-
" fidence, with much earneſtneſs, we ſhall ſtill ſollicite him,
" that for the affection he bears us, and the deſire which
" we ſuppoſe he hath, that there may continue for ever a
" perfect amity betwixt us and the whole houſe of Auſtria,
" he will not ceaſe to do all good offices herein; letting him
" know directly, that in theſe terms we cannot ſtand with

James I. 1622. "the emperor; but that if Heidelberg be won, or the ſiege "continue, or the ceſſation be long unneceſſarily delayed, we "muſt recall our ambaſſador from Bruſſels, and treat no "more, as we have already given order; hoping, that what- "ſoever unkindneſs we ſhall conceive againſt the emperor "upon theſe occaſions, it ſhall not be interpreted to reflect in "any ſort upon the entire affection that is at this preſent, "and as we hope ſhall always continue, betwixt us and the "crown of Spain. And therefore, as we have heretofore "ſundry times promiſed, in teſtimony of the ſincerity of our "proceedings, and of our great deſire to preſerve the amity "inviolable between us and the whole houſe of Auſtria, That "in caſe our ſon-in-law would not be governed by us, that "then we would not only forſake him, but take part, and "join our forces with the emperor againſt him; ſo you may "fairly repreſent unto that king, That in like manner we "have reaſon to expect the ſame meaſure from him, that "(upon the emperor's averſeneſs to a ceſſation and accom- "modation) he will likewiſe actually aſſiſt us for the re- "covery "of the Palatinate, and electoral dignity, unto our ſon-in- "law, as it hath been oftentimes intimated from Spain [z].

"To conclude, we ſhall not need to ſay any more unto "you touching this point, but to let you ſee that our mean- "ing is, to carry all things fair with that king, and not to "give him any cauſe of diſtruſt or jealouſy, if you perceive "that they intend to go really and roundly on with the "match."

Notwithſtanding all this, Heidelberg and Manheim were taken by the emperor's forces, and Frankendal beſieged.

Wilſon, 756. In another letter to the ſame ambaſſador, dated October 3, the king ſaid, "That while he was amuſed with treaties at "Madrid and Bruſſels, Heidelberg had been taken by force, "the Engliſh garriſons put to the ſword, and Manheim be- "ſieged: That the infanta, (having an abſolute commiſſion "to conclude a ceſſation and ſuſpenſion of arms) when all "objections were anſwered, did not only delay the conclu- "ſion of the treaty, but refuſe to lay her command upon the "emperor's generals to abſtain from the ſiege of his garri- "ſons during the treaty, upon a pretext of want of authority. "And therefore, for avoiding of further diſhonour, he had

[z] It was count Gondemar that intimated it to him, but without giving him a poſitive promiſe, and yet the king looked upon it as an engagement. Rapin.

"been

" been forced to recall both his ambaſſadors, as alſo the lord Chicheſter [a], whom he intended to have ſent unto the emperor to the diet at Ratisbon." After which he added: James I. 1622.

" Seeing therefore, that merely out of our extraordinary reſpect to the king of Spain, and the firm confidence we ever put in the hopes and promiſes which he did give us, (deſiring nothing more than for his cauſe principally to avoid all occaſions that might put us in ill underſtanding with any of the houſe of Auſtria) we have hitherto proceeded with a ſtedfaſt patience; truſting to the treaties, and neglecting all other means, which probably might have ſecured the remainder of our childrens inheritance, and by this confidence and ſecurity of ours, are now expoſed to diſhonour and reproach. You ſhall tell that king, That ſeeing all thoſe endeavours and good offices which he hath uſed towards the emperor in this buſineſs, on the behalf of our ſon-in-law, have not ſorted to any other iſſue than to a plain abuſe, both of his truſt and ours; we hope and deſire, that he will faithfully promiſe and undertake upon his honour, (confirming the ſame alſo under his hand and ſeal) either that the town and caſtle of Heidelberg ſhall, within threeſcore and ten days after your audience, and demand made, be rendered into our hands, with all things therein belonging; and the like for Manheim and Frankendal, if both or either of them ſhall be taken by the enemy while theſe things are in treaty: As alſo, that there ſhall be within the ſaid term of ſeventy days, a ceſſation and ſuſpenſion of arms in the Palatinate for the future, upon the ſeveral articles and conditions laſt propounded by our ambaſſador Sir Richard Weſton; and that the general treaty ſhall be ſet a-foot again: Or elſe, in caſe all theſe particulars be not yielded unto, and performed by the emperor, that the king of Spain do join his forces with ours: Or if ſo be his forces be otherwiſe employed, yet that at the leaſt he will permit us a free and friendly paſſage through his territories and dominions, for ſuch forces as we ſhall ſend and employ in Germany for his ſervice. Of all which, if you receive not from the king of Spain (within ten days at the fartheſt after your audience) a direct aſſurance under his hand and ſeal without delay, that then you take

[a] Arthur Chicheſter was created baron Chicheſter of Belfaſt, in the county of Antrim, February 25, 1612. He was at this time treaſurer of Ireland, and is, in the commiſſion, ſaid to be—" Spectatæ prudentiæ induſtriæ " & integritatis virum, & in magnis at " que arduis negotiis diu verſatum."— See Rymer's Fœd. tom. XVII. p. 354.

James I. 1622. "your leave, and return to our preſence, without further "ſtay; otherwiſe to proceed in the negotiation for the mar- "riage of our ſon, according to the inſtructions we have "given you."

Wilſon, p. 757. This letter plainly ſhows, the king was convinced, he had hitherto been only amuſed. And yet he writ the next day to the earl of Briſtol, to this effect. "Though you have "order to come away without farther delay, in caſe you re- "ceive not ſatisfaction to your demands from the king of "Spain; yet we would not have you inſtantly come away "upon it, but adverti ſe us firſt, letting us know privately (if "you find ſuch cauſe) that there is no good to be done, nor "ſatisfaction as you judge, intended us, (though publicly "and outwardly you give out to the contrary) "That we "may make uſe thereof with our people in parliament, as we "ſhall hold beſt for our ſervice."

The king's falſe meaſures. It is evident by theſe letters how much the king was mi ſtaken, in expecting to adjuſt his ſon-in-law's affairs, by the method he had followed, and how he had been trifled with in his ſeveral negotiations: That he himſelf knew it, and all the vengeance he took was to recall his ambaſſador from Bruſſels. It is true, he ſeemed to intend to be revenged by arms; but he would have the king of Spain join with him, to oblige the emperor and the duke of Bavaria to reſtore a country which he had himſelf delivered to them. At leaſt he hoped, the king of Spain would grant him a paſſage through his territories, projects as chimerical as that of recovering the Palatinate by fair means and ſollicitations alone. In ſhort, it is viſible in theſe letters, that the king made the reſtitution of the Palatinate and concluſion of the marriage two diſtinct affairs, and did not conſider the laſt as dependent of the other. Indeed, though there was manifeſtly a colluſion between the emperor, Philip IV. and the infanta, James ordered his ambaſſador to do nothing offenſive to the king of Spain, for fear of prejudicing the marriage which he was always made to conſider as upon the point of concluſion.

In fine, after a long expectation, Gage was ſent back from Rome, where he had been ſolliciting the diſpenſation, with nineteen articles, to each of which the pope had put a poſtil or ſhort note, after the manner practiſed in the capitulations of places. Probably, the ſenſe of the three material articles which

which were agreed on, was explained, and the nineteen following ones were formed by common consent. James I. 1622.

I. That the pope's diſpenſation ſhall be firſt obtained at the ſole inſtance of his catholic majeſty.

Note. "The two parties are agreed on this point."

II. That the marriage ſhall be celebrated in Spain according to the rites practiſed in the church of Rome; and afterwards in England, with ſuch ceremonies as tend moſt to the advantage of the king of Great Britain; yet ſo, as that nothing be done contrary to the religion profeſſed by the moſt excellent infanta. But as to this point, they ſhall agree about the ceremonies to be performed in both kingdoms. The marriage-articles, with the pope's anſwers. Du Cheſne, p. 1160.

Note. "The marriage ought to be celebrated but once in "Spain, and if any ceremony is to be performed in England, "notice muſt be given beforehand, and let this ceremony be "agreed on."

III. That the moſt gracious infanta ſhall have free exerciſe of the Roman catholic religion.

Note. "This article is granted."

IV. That all the domeſtics and ſervants belonging to the moſt gracious infanta, ſhall be appointed by his catholic majeſty, ſo as the king of England ſhall not have the liberty of nominating any one.

Note. "Granted."

V. That the moſt gracious infanta ſhall have an oratory, where divine ſervice ſhall be celebrated in ſuch manner as ſhe ſhall appoint.

Note. "This article is granted."

VI. That this oratory ſhall be in her palace, and there maſſes to be celebrated at the pleaſure of the infanta.

Note. "A church ſhall be built in London, beſides that "in the palace, and divine ſervice ſhall be celebrated in each, "and the word of God preached, and the ſacraments ad-"miniſtred."

VII. That all the officers and domeſtics belonging to the infanta of what ſort ſoever, as alſo her ſervants and family, may be freely and publicly catholics; which is ſo to be underſtood,

James I. 1622. ſtood, as that each of them in particular ſhall be obliged to profeſs the Roman catholic religion.

Note. "The men and women ſervants of the moſt ſerene "infanta, their children and poſterity, with their whole fa- "milies, what office ſoever they bear, ſhall have the free ex- "ercife of the catholic religion."

VIII. That the exercife of the Roman catholic religion ſhall be in form following: The moſt gracious infanta ſhall have in her palace a chapel ſo ſpacious, that her ſervants and family may enter and ſtay therein; in which there ſhall be an ordinary and public door for them, and another inward door, by which the infanta may have a paſſage into the chapel, where ſhe and others may be preſent at divine offices.

Note. "All the ſervants muſt conform to this."

IX. That the chapel may be beautified with decent ornaments, and other things neceſſary for divine ſervice, according to the cuſtom of the holy Roman church; and that it ſhall be lawful for the ſervants and others to go to the ſaid chapel at all hours.

Note. "Granted."

X. That the keeper and guardians of the chapel ſhall be appointed by the lady infanta, and they ſhall take care no body may enter into it to do any undecent thing.

Note. "The keeper and guardians of the chapel and "church ſhall be Spaniards."

XI. That to ſerve in the chapel, there ſhall be a convenient number of of prieſts as to the infanta ſhall ſeem fit. And if any of them be natives of Great Britain, they ſhall not be admitted to ſerve, without her conſent firſt obtained.

Note. "His holineſs wills and means that this be a true "church."

XII. That among the prieſts, there ſhall be one ſuperior miniſter or rector, with authority to decide the caſes of religion and conſcience.

Note. "His holineſs will have this ſuperior to be a biſhop."

XIII. That this ſuperior miniſter may exerciſe eccleſiaſtical juriſdiction upon all who ſhall offend in the infanta's family: And moreover, the lady infanta ſhall have power to turn them

them out of her ſervice, whenſoever it ſhall ſeem expedient to her. James I. 1622.

Note. "He muſt be a biſhop."

XIV. That it may be lawful for the lady infanta to procure from Rome indulgences and jubilees, and all graces, as ſhall ſeem fit to her religion and conſcience.

Note. "This article is granted."

XV. That the ſervants and family of the lady infanta ſhall take the oath of allegiance to the king of Great Britain; provided there be no clauſe therein contrary to their conſciences and the Roman catholic religion, and that the form of the oath be firſt approved of.

Note. "The men and women ſervants ſhall be Spaniards."

XVI. That the laws made againſt the Roman Catholic religion in England, ſhall not extend to the ſervants of the moſt gracious infanta; but they ſhall be exempted from the ſaid laws, and the penalties annexed, and of this a declaration ſhall be made.

Note. "The laws already made, or to be made in England "concerning religion, ſhall not extend to the ſervants, who "ſhall be exempted from them as well as from the penalties, "&c. and for this reaſon the eccleſiaſtics ſhall not be liable "to any but their eccleſiaſtical laws."

XVII. That the children of the moſt illuſtrious prince, and the moſt gracious infanta, ſhall not be conſtrained in point of conſcience, and in that caſe, the laws made againſt catholics in England ſhall not extend to them; and though any of them be catholics, they ſhall not loſe the right of ſucceſſion to the kingdom and dominions of Great Britain.

Note. "This article is granted by his holineſs."

XVIII. That the nurſes which ſhall give ſuck to the children of the lady infanta, ſhall be choſen by the lady infanta, and accounted part of her family.

Note. "The nurſes ſhall be catholics, choſen by the moſt "ſerene infanta, and reckoned among her domeſtics."

XIX. That the rector or ſuperior miniſter, and other eccleſiaſtical and religious perſons of the family of the lady infanta, ſhall wear their uſual veſtments and habits.

Note. "Granted."

At

James I. 1622. At the end of theſe articles, which were long debated and canvaſſed by the congregation of the propagation of faith, the congregation ſubjoined their opinion in the following terms.

Du Cheſne's Hiſt. of England. "As to the terms offered by the moſt ſerene king of England, it ſeems to us they are deſigned only to ſecure the moſt ſerene infanta's religion. But to the end his holineſs may grant the diſpenſation, there are other things neceſſary to the privilege, increaſe, and welfare of the Roman catholic religion. Theſe things are to be propoſed by the moſt ſerene king, that his holineſs may conſider whether, upon ſuch offers, he can grant the diſpenſation."

Remark on this ſubject. It is eaſy to ſee, the pope's poſtils tended not only to the benefit of the Roman catholic religion, but alſo to cauſe the affair to be prolonged, purſuant to the court of Spain's intentions. Beſides that James was not expected to agree to the contents of the notes, another expedient was ready to ſtop the concluſion of the marriage, namely, to oblige the king to make offers for the advancement of the Roman religion, with which the pope, if he pleaſed, might never be ſatisfied. Thus, after a ſix years expectation, James was no farther advanced than when the affair was begun, except that he was willing to grant whatever the pope did or might demand. And indeed, this was the courſe he took. He found now of what conſequence the firſt article was, which he had been made to ſign, that the diſpenſation ſhould be firſt procured by the endeavours of the king of Spain; for by this means, the Spaniard could advance or entirely break off the negotiation as he pleaſed, by cauſing the pope to delay or refuſe the diſpenſation. It is certain, as I ſaid, the court of Spain's intent at firſt was only to make uſe of the project of this marriage, to allure James into their ſnare, for fear he ſhould join with the German-Proteſtants, and afterwards, for fear he ſhould ſend a powerful aid to the king of Bohemia.

Wilſon, p. 755.

The king is at a loſs. Wilſon. Annals. When Gage came from Rome with the articles, the king was terribly embaraſſed. The Palatinate was almoſt quite loſt. The negotiation at Bruſſels did not advance, and he could not but perceive, he was impoſed upon by the emperor and king of Spain; ſo that he ſaw no other way to procure the elector's reſtoration, but the prince's marriage with the infanta. It is true, England was ſufficiently powerful to moleſt the houſe of Auſtria; but a parliament muſt have been called, which the king could not think of. On the other hand, the pope annexed to the marriage ſuch terms as the king

could not grant, without giving occaſion to his domeſtic enemies to repreſent him as a prince regardleſs of the intereſts of the proteſtant religion, to which imputation he was already but too liable. In this perplexity, rather than break with Spain, and ſo loſe the deſired dowry of two millions, with the hopes of recovering the Palatinate, he choſe to be expoſed to the reproaches of his ſubjects, which he did not ſeem much to regard. He drew therefore a memorial which he ſigned with his own hand, containing his offers in favour of the catholic religion, and ſent it to the earl of Briſtol, with the letter of the 9th of September, of which I have already given an extract. The concluſion of the letter, which I reſerved for this occaſion, becauſe the marriage is there mentioned, was as follows. James I. 1622.

The king's letter to the earl of Briſtol, with a memorial containing his offers. Wilſon. p. 755. Ruſhworth, t. i. p. 68.

"Nevertheleſs we muſt tell you, that we have no great cauſe to be well pleaſed with the diligences uſed on that part, when we obſerve, that after ſo long an expectance of the diſpenſation, upon which the whole buſineſs (as they will have it) depends, there is nothing yet returned but queries and objections. Yet becauſe we will not give over our patience a while longer, until we underſtand more certainly what the effect thereof is like to be, wherein we require you to be very wary and watchful, conſidering how our honour is therein engaged; we have thought fit to let you know, how far we are pleaſed to enlarge ourſelf, concerning thoſe points demanded by the pope, and ſet down by way of poſtil unto the articles agreed upon betwixt Spain and us, as you ſhall ſee by the power which Gage brought us from Rome, whereof we have ſent you a copy, and our reſolutions thereupon ſigned with our own hand, for your warrant and inſtruction. And further than that, ſince we cannot go without much prejudice, inconveniency, and diſhonour to ourſelf and our ſon, we hope and expect the king of Spain will bring it inſtantly to an iſſue, without farther delay, which you are to preſs with all diligence and earneſtneſs, that you may preſently know their final reſolution, and what we may expect thereupon. But if any reſpite of time be earneſtly demanded, and that you perceive it not poſſible for them to reſolve until an anſwer come from Rome, we then think it fit that you give them two months time after your audience, that we may underſtand that king's final reſolution before Chriſtmas next at the fartheſt."

Though

James I. 1622.

Though the king affirmed he could go no farther, yet means were found to perſuade him to a greater compliance, as will hereafter appear.

The king reſolves at laſt to conclude the marriage. Ruſhworth, t. i. p. 69.

Hitherto the Spaniard had fed the king's hopes concerning the marriage only to amuſe him. But ſince he plainly ſaw, by the articles and offers ſigned with his own hand, that James was reſolved to conclude at any rate, he thought ſo fair an opportunity ſhould not be miſſed to reſtore the catholic religion in England, which very probably might be accompliſhed by means of the match. So Philip ſuddenly altering his mind, appeared as eager to conclude, as he had ſeemed unwilling before [b]. From that time, that is, from the end of the year 1622, the marriage was reſolved at the court of Madrid. The point was only to extort from the king ſuch terms as ſhould lead to what was intended. All the king of Spain's proceedings, from the time I am ſpeaking of, evidently ſhow that he was inclined to the marriage, in caſe he could obtain what he promiſed himſelf for the advancement of the Roman religion in England, and which James's impatience gave him room to expect. But it is no leſs certain, that before this, he was entirely averſe to it. This manifeſtly appears in king Philip the fourth's letter to the Condé d' Olivarez, and from that miniſter's anſwer. The letters were as follows:

The king of Spain's letter to the Condé d' Olivarez.

Nov. 5, 1622.

Wilſon. Ruſhworth, t. i. p. 71.

"THE king my father declared at his death, that his intent was never to marry my ſiſter, the infanta Donna Maria, with the prince of Wales, which your uncle Don Balthazar underſtood, and ſo treated this match ever with intention to delay it; notwithſtanding, it is now ſo far advanced, that conſidering all the averſeneſs of the infanta unto it, it is time to take ſome means to divert the treaty, which I would have you find out, and I will make it good whatſoever it be. But in all other things, procure the ſatisfaction of the king of Great Britain, (who hath deſerved much) and it ſhall content me, ſo it be not in the match."

[b] The earl of Briſtol ſent word to king James, that if the Spaniſh court intended not the match, they were falſer than all the devils in hell, for deeper oaths and proteſtations of ſincerity could not be made. Ruſhworth, tom. i. p. 63.

The

The Condé d'Olivarez, in his anſwer agreed, That the late king never intended to conclude the marriage, but only to amuſe the king of England, by reaſon of the ſituation of affairs in the Palatinate and Netherlands. He ſaid moreover, the infanta was determined to retire to a convent, as ſoon as ſhe ſhould be preſſed upon that head. James I. 1622.

The Condé's anſwer to the king. Novem. 8. Annals. p. 71. Ruſhworth, t. i. p. 71.

After that, he repreſented to his majeſty, "That the king "of England found himſelf equally engaged in two buſineſſes "at that time, namely, the marriage, and the reſtitution of "the Palatinate. Suppoſing then, added the Condé, that "the marriage be made, we muſt come to the other affair, "and then your majeſty will find yourſelf engaged with the "king of England in a war againſt the emperor, and the "catholic league: a thing, which to hear, will offend your "ears; or if you declare yourſelf for the emperor, then you "will find yourſelf engaged in a war againſt the king of "England, and your ſiſter married with his ſon. If your "majeſty ſhould ſhow your ſelf neutral, what a great ſcandal "will it be, for Spain to ſtand neuter, in a buſineſs wherein "religion is ſo much concerned?

"On the other hand, ſaid the Condé, ſuppoſing we could "ſatisfy the king of England, by having the Palatinate re-"ſtored to his ſon-in-law, yet we muſt conſider whether it "is in our power to have it reſtored; ſince the duke of "Bavaria is poſſeſſed of all thoſe dominions, and the emperor, "who hath promiſed to transfer to him the Upper Palati-"nate, with the electoral dignity, is now in the diet, where "that tranſlation is to be made. Beſides, the emperor hath "given us to underſtand, how difficult it will be to wreſt the "Palatinate out of the duke of Bavaria's hands, ſince it ap-"pears by the memorial, which was yeſterday preſented to "your majeſty by the emperor's ambaſſador, that the duke "of Bavaria alone can maintain more troops than all the "reſt of the allies joined together."

Upon theſe difficulties, the Condé propoſed in the ſame letter, "to ſet on foot two other marriages, namely, be-"tween the emperor's eldeſt daughter, and the prince of "Wales, and between the prince Palatine's ſon, and the "emperor's ſecond daughter; by which means the buſineſs "(ſays he) may be accommodated, and afterwards, I would "reduce the prince elector to the obedience of the church, "by breeding his ſons in the emperor's court with catholic "doctrine."

James I. 1622. If it be conſidered, that the king of Spain's letter is dated the 5th of November, and that probably the anſwer was made within a few days, it will be eaſy to perceive, that till then the Spaniard never intended to conclude the marriage. But preſently after, as I have obſerved, he came to another reſolution.

1623. Truce for fifteen months concluded at London. Du Cheſne's hiſtory of England. Act. Pub. xvii. p. 461. 473. 479.

The late alteration in the projects of the Spaniſh court, procured the earl of Briſtol a letter from Philip IV. to the infanta Iſabella, to deſire her to raiſe the ſiege of Frankendal, and renew at London the conferences for a truce, which were broken off at Bruſſels. This requeſt was a real order which the infanta obeyed, and the negotiation of the truce was begun at London, where it ended the 27th of March 1623 [c]. The ſole point was to hinder, by means of this truce, Frankendal, the only place in the Palatinate where was an Engliſh garriſon, from falling into the emperor's hands. But on the other ſide, the emperor had reaſon to fear, if James remained maſter of this place, he would make uſe of it to carry war into the Palatinate, and the more, as he had ſometimes threatened to have recourſe in the end to arms. To adjuſt the different intereſts of the emperor and the king, this rare expedient was deviſed. Frankendal was to be delivered to the infanta Iſabella, and a truce made for fifteen or eighteen months, after which, the infanta was to reſtore the place to the Engliſh. But withal, the elector was to break his alliance with the prince of Brunſwick and count Mansfeldt.

Welwood. Coke.

The council of England's overſight in this treaty.

This treaty gives no great idea of the capacity of king James and his council. Not only was Frankendal delivered to the infanta, as if ſhe had been a third perſon entirely diſintereſted, though ſhe had ſhown the contrary in this very treaty; but the elector was alſo deprived of all hopes of re-entering his country. Moreover, the emperor and duke of Bavaria were at liberty either to diſmiſs their troops, or to aſſiſt the king of Spain in the Low-countries, ſince there was no farther danger of a war in the Palatinate. But what advantage accrued to James by this treaty? Indeed, he hindered the emperor from taking Frankendal, but at the ſame time, the place was delivered to Spain. On the other hand, the

[c] The Engliſh commiſſioners were, Lionel earl of Middleſex, lord treaſurer, Ludowic earl of Lenox, ſteward of the houſhold, James marquiſs of Hamilton, Thomas earl of Arundel and Surrey, earl-marſhal, William earl of Pembroke, lord-chamberlain, Oliver viſcount Grandiſon, Arthur lord Chicheſter, treaſurer of Ireland, Sir George Calvert, ſecretary of ſtate, and Sir Richard Weſton, chancellor of the exchequer. Rymer's Fœd. tom. xvii. p. 461.

truce,

truce, which would have been for his advantage, had he kept Frankendal, turned to his prejudice, since it deprived him of the power to carry the war into the Palatinate, in favour of his son-in-law. It is true, upon supposition of the infanta's sincerity, he was to have the place again when the truce was expired: but this was a very doubtful supposition, since the infanta was entirely guided by the directions of the courts of Vienna and Madrid. James I. 1623.

Before the truce was concluded at London, the emperor going to the diet of Ratisbon, invested the duke of Bavaria with the electoral dignity and the Upper Palatinate, notwithstanding the opposition of several princes who were possessed of hereditary dominions, and to whom such a precedent was a just occasion of fear. Such was the effect of king James's three years negotiations in favour of his son-in-law, who was at length stript of his dominions and dignities[t]. But the Spanish match was to recover all. We must see now the success of that tedious negotiation, the only remarkable event of the year 1623. The duke of Bavaria is made elector. Jan. 1623. Wilson. p. 761, &c. Rushworth, t. i. p. 74.

The only obstacle of the marriage, were the articles concerning religion. The earl of Bristol had been disputing the ground inch by inch, ever since his arrival in Spain, and Philip IV. was not displeased with it, because it gave him an opportunity to gain time. In August 1622, the Spaniards demanded certain articles in favour of the English catholics, to which the ambassador only answered, he would acquain the king his master therewith. At the same time, the pope pu his postils or notes to the articles that were agreed on. Hence it is easy to perceive, that the courts of Rome and Spain acted in concert, both tending to the same end. The king received, about the same time, the pope's postils and the court of Madrid's demands in favour of the catholics. He kept these out of ceremony some months, without giving an answer, but at length signed all the 5th of January 1623, and having made the prince sign them also, sent the articles to the earl of Bristol, who received them the 25th of the same month. I believe the full and entire resolution of the Spanish Sequel of the negotiation about the marriage. The king agrees to whatever the pope requires for the catholics. Rushworth, t. i. p. 281.

[t] Thus by king James's amazing negligence, was the protestant religion entirely rooted out of Bohemia, the electoral dignity transferred from the Palatinate family, and the liberty of Germany overthrown. And all this chiefly through Gondemar's artful management, who writ in one of his letters to the duke of Lerma, that he had lulled king James so fast asleep, as he hoped neither the cries of his daughter, nor her children, nor the repeated solicitations of his parliament and subjects in their behalf, should be able to awaken him. Welwood, p. 27, 28.

James I. 1623. court to conclude the marriage, may be fixed to this time. From the year 1616, to November 1622, the Spaniard's ſole intent was to amuſe king James. From thence to the 25th of January 1623, he ſeems to have reſolved upon the marriage, provided certain advantages could be obtained for the Roman religion. In fine, after the articles, ſigned by the king and prince, had ſecured him what he deſired, his reſolution was fixed. Theſe three epocha's are to be carefully obſerved and diſtinguiſhed, for want of which, moſt hiſtorians are very obſcure in their recital of this affair.

The time of ſolemnizing the marriage is fixed.

The Spaniard being ſatisfied with the articles ſent from England, which were much more advantagious to the catholics, than thoſe agreed upon with the earl of Briſtol, demanded time to ſend them to Rome, and obtain the pope's diſpenſation. It was thought, the diſpenſation might come in March or April at fartheſt, and it was agreed, the nuptials ſhould be ſolemnized four days[d] after its arrival: that the infanta ſhould ſet out within twenty days after the celebration of the marriage, and whilſt the diſpenſation was expected, the other articles, which were called temporal, to diſtinguiſh them from thoſe concerning religion, ſhould be ſettled. Purſuant to this agreement, the earl of Briſtol and Sir Walter Aſton jointly with the Spaniſh miniſters prepared theſe articles by the beginning of March, to the mutual ſatisfaction of both parties. The 22d of March, the Condé d' Olivarez and Gondemar came to the Engliſh ambaſſadors, and ſhowed them a writing with the king of Spain's hand to it, whereby he approved of the temporal articles, and ordered them to finiſh the affair. Theſe articles concerned only the portion and dowry, without any mention of the Palatinate. Beſides that he had commanded the earl of Briſtol, in his inſtructions not to make the reſtitution of the Palatinate one of the marriage-articles, this command was repeated in the king's letter to him of the 30th of December 1622, that is, two or three months before. Moreover, at this very time, the truce and ſequeſtration of Frankendal were negotiating at London.

Defence of the earl of Briſtol in Ruſhworth, t i. p. 281, 290.

The temporal articles are ſettled. Ibid. p. 282.

without any mention of the Palatinate.

The affair of the marriage being in this ſituation, and very probably near a concluſion, the end of April was to be expected with patience, to ſee whether any new difficulty would occur, for thus far every thing ſeemed to be ſettled to the king's ſatisfaction. But the face of the affair was ſuddenly changed by a very odd and moſt extraordinary adventure.

The prince of Wales reſolves to go to Spain. Wilſon. p. 763. Clarendon. t i p. 11. Coke.

[d] In one place it is ſaid, "within four," days. See Ruſhworth, tom. i. p. 281, 290. "forty," and in another "within

The marquis of Buckingham perſwaded the prince of Wales to go to Spain and bring home his miſtreſs the infanta himſelf. He told him, "the more uncommon ſuch a gallantry "was among princes, the more it would redound to his "honour: the infanta herſelf would be charmed with it: "his preſence would immediately put an end to all for-"malities, and remove whatever difficulties might yet "occur: as after the marriage, there was an affair of mo-"ment to be negotiated, namely, the reſtitution of the Pa-"latinate, an interceſſor like him, would do more in three "days than ambaſſadors could do in as many months." In a word, he ſo artfully repreſented this project, that the prince, tranſported with the thoughts of ſo noble an adventure, never reſted till he had accompliſhed it. The difficulty was to obtain the king's conſent [e]. The prince aſked it before Buckingham, and expreſſed ſo earneſt a deſire to make the journey, that the king granted his requeſt without much heſitation, and put off till next day to conſider of means to effect it. But after he had more ſeriouſly reflected on the affair, his mind was quite changed on the morrow, when the prince and Buckingham came to him. He repreſented to them, how fruitleſs ſuch a journey would be in the preſent ſituation of the marriage affair, and the inconveniences it might be attended with. But inſtead of anſwering his reaſons, Buckingham rudely told him, he had given his word, and if he broke it, would be never more credited [f]. The reader may ſee in the lord Clarendon's hiſtory this converſation at large, which ended with the king's permiſſion, extorted by the prince and Buckingham, for this ſtrange, raſh, and very dangerous journey. It was reſolved, that Buckingham ſhould accompany the prince, with two more only, namely, Sir Francis Cottington, who had been the king's agent in Spain, and came from thence in September, and Endymion Porter, gentleman of the bed-chamber to the prince, who had been bred at Madrid: that they ſhould go poſt through France, and the ſecret be kept, that they might be at a diſtance

James I. 1623.

ibid. p. 13.

p. 13---15. The king conſents to it.

Ibid. Wilſon.

[e] Who was very quick-ſighted in diſcerning difficulties, and raiſing objections, and very ſlow in maſtering them. Clarendon, tom. i. p. 11. Fol. edit.

[f] The king conjured them with ſighs and tears not to purſue their reſolution. But Buckingham told his majeſty, "that no body could believe any thing "he ſaid, when he retracted the pro-"miſe he had ſo ſolemnly made; that "he plainly diſcerned, it proceeded "from another breach of his word, "(for he had promiſed to keep the "thing ſecret) in communicating "with ſome raſcal, who had furniſhed "him with thoſe pitiful reaſons he "had alledged, and he doubted not, "but he ſhould hereafter know who "his counſellor had been." Clarendon, tom. i. p. 14.

James I. 1623. before their departure was known. This reſolution being taken, the prince and Buckingham deſired only two days to prepare.

The motives of this journey are variouſly related, according to the intereſt and prejudices of the ſeveral writers.

Weldon, p. 143. Some ſay, the court of England ſtill doubting the Spaniſh court's ſincerity, thought proper the prince and Buckingham ſhould be ſatisfied with their own eyes in order to know what could be depended upon. But ſuppoſing this doubt, was it not extremely imprudent to put the king's only ſon into the hands of a prince, whoſe ſincerity was believed to be juſtly ſuſpected? The king, prince, and favorite, muſt have been all three void of underſtanding, to be guilty of ſuch an error. This therefore ſeems to be altogether improbable.

t. i. p. 11. The lord Clarendon ſays, Buckingham, out of envy that the earl of Briſtol ſhould have the ſole management of ſo great an affair, had a mind to have the glory of ending it. But he ſhould have thought of it *ſooner*, ſince every thing was now concluded in Spain, at or about the time of the prince's departure for Madrid. So the marquis could not acquire much honour. Beſides, the event ſhowed, this was not his motive, ſince inſtead of promoting, he was the ſole cauſe of the unexpected difficulties, and final breach of the marriage.

Ruſhworth, t. i. p. 262. Others pretend, Buckingham's aim was inſenſibly to induce the prince to change his religion, by expoſing him to all the temptations which of courſe he would meet at the court of Madrid. Of this he was afterwards accuſed before the parliament, by the earl of Briſtol, who ſaid, the project was formed ſeveral months before the prince's departure between Buckingham and Gondemar, by means of Endymion Porter, who had been ſent to Spain for that purpoſe. But the proofs on which the earl of Briſtol grounded his accuſation, were but preſumptions at moſt, and as he was a profeſſed enemy to the marquis of Buckingham, I do not know whether his teſtimony may be relied on.

But whatever were the favorite's real motives with reſpect to this journey, it can hardly be denied, that it was a ſign of great levity in the prince, and of no leſs weakneſs and imprudence in the king. The affair of the marriage was in ſuch a ſituation, that it was entirely needleſs to ſollicit afreſh the court of Spain, with whom every thing was agreed. Two months patience would have ſhown the king, whether he could rely on them, without expoſing his only ſon and heir

heir apparent to ſo imminent danger, by ſuffering him to exe- James I.
cute a romantic project, which could procure no advantage. 1623.
But the king's condeſcenſion for the prince and Buckingham
prevailed above all theſe conſiderations. They ſet out poſt the
17th of February [h], and came to Paris, where they ventured
to appear at court, and be preſent at a ball, at which, though
diſguiſed, they were in ſome danger of being diſcovered.
However, they arrived ſafely at Madrid the 7th of March,
and alighted at the earl of Briſtol's, who was not a little ſur-
prized to ſee the prince [i]. I ſhall not ſtay to deſcribe the
magnificent reception of the prince by the court of Spain,
when he made himſelf known. I ſhall only ſay, he met
with all the reſpect due to his birth, and all poſſible careſſes
to teſtify the ſatisfaction at his gallantry to the infanta, and
his candour in confiding in the king's generoſity. The only
thing in which great ceremony was uſed, was his not being
permitted to viſit the infanta in private. The Spaniſh way
did not admit of ſuch a familiarity, and the more becauſe the
diſpenſation not being yet come, he could not in ſtrictneſs be
conſidered as the infanta's future ſpouſe.

The prince ſets out with Buckingham. Wilſon. Ruſhworth, Annals. He is well received in Spain. Wilſon, p. 764, &c. But not ſuffered to ſee the infanta in private. Annals, p. 75. Cabala.

No ſooner was the prince arrived in Spain, but all the
Spaniards thought he was come to change his religion before
he eſpouſed the infanta, no one imagining there could be any
other motive of his journey. Nay, count Gondemar very ſe-
rioufly deſired the earl of Briſtol, not to oppoſe ſo pious a de-
ſign, and if the earl is to be credited, the count intimated to
him, that the marquis of Buckingham was not againſt it [k].
The earl of Briſtol perceiving, if the court of Spain had any
ſuch hopes, it would be apt to retard the marriage, ſpoke of
it to the prince, and conjured him to impart the ſecret to him,

Wilſon, p. 765. Ruſhworth, p. 78. Ruſhworth, t. i. p. 291.

[h] They went privately, on February 17, from the court, which was then at Newmarket, to Newhall in Eſſex, a houſe of Buckingham's, purchaſed by him from Robert earl of Suſſex; and from thence the next day to Graveſend, and ſo to Dover; attended only by Sir Richard Graham, maſter of the horſe to the marquis. Wilſon, p. 763. Hacket, p. 114.

[i] The prince and marquis of Buckingham put on falſe beards, to cover their ſmooth faces, and travelled under the borrowed names of Jack and Tom Smith. The mayor of Dover ſtopped them, thinking they were going to France to fight, ſo that Buckingham was forced to diſcover himſelf; pretending he was going to viſit the fleet, as admiral. The ſame day they embarked, they landed at Boulogne, and from thence rid poſt to Paris. At Paris, they both wore large buſhy perriwigs that ſhadowed their faces. Here the prince ſaw, at a maſking dance, the princeſs Henrietta Maria, whom he afterwards married. Wilſon, p. 763. They narrowly eſcaped being ſeized in France. See Ruſhworth, tom. i. p. 75. Weldon, p. 144.

[k] The Conde d'Olivarez ſpeaking to the prince about this, in his firſt viſit, the prince replied, That he came not thither for religion, but for a Wife. Ruſhworth, tom. i. p. 78.

James I. 1623. if there was really any thing in it. But the prince firmly denied it, and expoſtulated with the ambaſſador for having ſo ill an opinion of him [1]. Whereupon the earl of Briſtol intreated him, neither to do nor ſay any thing whatever that might feed the hopes of the Spaniſh court in that reſpect, for fear of obſtructing the marriage. Nevertheleſs he was attacked ſeveral times, one while by eccleſiaſtics, who took all occaſions to diſpute with him about religion, another while by courtiers, who repreſented to him how powerful England would grow, if ſhe would return to the obedience of the pope. He even received a long letter from Gregory XV. exhorting him to come into the boſom of the church, and imitate his glorious anceſtors, who had done ſo great things for the defence of religion. The prince anſwered this letter the 20th of June. But becauſe the two printed copies of this anſwer are very different, it will not be amiſs to inſert them both.

Prince Charles to pope Gregory XV.

Moſt Holy Father,

The prince's anſwer to the pope. Wilſon, p. 767.

"I Received the diſpatch from your holineſs with great content, and with that reſpect which the piety and care wherewith your holineſs writes doth require. It was an unſpeakable pleaſure to me to read the generous exploits of the kings my predeceſſors, to whoſe memory poſterity hath not given thoſe praiſes and elogies of honour that were due to them. I do believe that your holineſs hath ſet their example before my eyes, to the end that I might imitate them in all my actions; for in truth they have often expoſed their eſtates and lives for the exaltation of the holy chair. And the courage with which they have aſſaulted the enemies of the croſs of Jeſus Chriſt, hath not been leſs than the care and thought which I have, to the end that the peace and intelligence, which hath hitherto been wanting in Chriſtendom, might be bound with a bond of true concord: For like as the common enemy of peace watcheth always to put hatred and diſſention between chriſtian princes, ſo I believe that the glory of God requires that we ſhould endeavour to unite them. And I do not eſteem it a greater honour to be deſcended from ſo great princes, than to imitate them in the zeal of their piety: In which it helps

[1] He ſeemed to be much diſpleaſed, that any ſhould have ſo unworthy an opinion of him, as to think he would, for a wife or any other earthly reſpect whatſoever, ſo much as waver in his religion. Ibid. p. 290.

"me

" me very much to have known the mind and will of our thrice honoured lord and father, and the holy intentions of his catholic majeſty, to give a happy concurrence to ſo laudable a deſign; for it grieves him extremely to ſee the great evil that grows from the diviſion of chriſtian princes, which the wiſdom of your holineſs foreſaw, when it judged the marriage, which you pleaſed to deſign between the infanta of Spain and myſelf, to be neceſſary to procure ſo great a good; for it is very certain, that I ſhall never be ſo extremely affectionate to any thing in the world, as to endeavour alliance with a prince that hath the ſame apprehenſions of the true religion with myſelf. Therefore I entreat your holineſs to believe, that I have been always far from encouraging novelties, or to be a partiſan of any faction againſt the catholic, apoſtolic, Roman religion: But on the contrary, I have ſought all occaſions to take away the ſuſpicion that might reſt upon me; and that I will employ myſelf for the time to come to have but one religion, and one faith, ſeeing that we all believe in one Jeſus Chriſt: Having reſolved in myſelf to ſpare nothing that I may have in the world, and to ſuffer all manner of diſcommodities, even to the hazarding of my eſtate and life, for a thing ſo pleaſing unto God. It reſts only, that I thank your holineſs for the permiſſion which you have been pleaſed to afford me, and that I may pray God to give you a bleſſed health here, and his glory, after ſo much travel which your holineſs takes within his church. James I. 1623.

Madrid, June 20, 1622. " CHARLES STUART."

The other copy of the ſame letter, is as follows.

Prince Charles to pope Gregory XV.

Moſt Holy Father,

" WE have received your letter, with no leſs thankfulneſs and reſpect than is due to the ſingular good will and godly affection wherewith we know it was written. It was moſt acceptable unto us, that the never-enough renowned examples of our anceſtors were propoſed to us by your holineſs for our inſpection and imitation; who though they often hazarded their lives and fortunes to Annals, p. 77. Ruſhworth, t. i. p. 82.

James I. 1623. "propagate the chriſtian faith, yet did they never more "chearfully diſplay the banners of the croſs of Chriſt againſt "his moſt bitter enemies, than we will endeavour to the ut- "moſt, that the peace and union which ſo long triumphed, "may be reduced into the chriſtian world, after a kind of "elimination or exile. For ſince the malice of the father "of diſcords hath ſowed ſuch unhappy diviſions amongſt "thoſe who profeſs the chriſtian religion, we account this "moſt neceſſary, thereby to promote with better ſucceſs the "glory of God, and Chriſt our Saviour, nor ſhall we eſteem "it leſs honour to tread in their footſteps, and to have been "their rivals and imitators in holy undertakings, than to have "been deſcended of them. And we are very much encou- "raged to this as well by the known inclination of our lord "and father, and his ardent deſire to lend a helping hand "to ſo pious a work, as by the anguiſh that gnaws his royal "breaſt, when he conſiders what cruel deſtructions, what "deplorable calamities ariſe out of the diſſentions of chriſtian "princes. Your holineſs's conjecture of our deſire to con- "tract an alliance and marriage with a catholic family and "princeſs, is agreeable both to your wiſdom and charity; "for we would never deſire ſo vehemently to be joined in a "ſtrict and indiſſoluble bond with any mortal whatſoever, "whoſe religion we hated. Therefore your holineſs may "be aſſured, that we are, and always will be of that mo- "deration, as to abſtain from ſuch actions, which may teſtify "our hatred againſt the Roman catholic religion; we will "rather embrace all occaſions whereby, through a gentle and "fair procedure, all ſiniſter ſuſpicions may be taken away; "that as we all confeſs one individual trinity, and one Chriſt "crucified, we may unanimouſly grow up into one faith. "Which that we may compaſs, we little value all labour "and watchings, yea, the very hazard of our lives. It re- "mains that we render thanks to your holineſs for your "letter, which we eſteem as a ſingular preſent, and wiſh "your holineſs all proſperity and eternal happineſs."

Dated at Madrid, 20 Junij 1623.

It muſt be obſerved of theſe two letters, which are very different, that as they did not appear till after the civil wars, it is equally probable that one of the parties qualified, whilſt the other aggravated, the expreſſions. And therefore it is needleſs to make any reflection upon them.

Mean

Mean while, after the prince's arrival in Spain, the ſtate of the marriage-treaty was a little altered. The diſpenſation arrived about ſix weeks after, that is, about the beginning of May. But the pope had annexed certain conditions, without which it was to be of no force. Very probably, had not the prince been in Spain, the diſpenſation would have come ſooner, and without any reſtriction: but it is not very ſurpriſing, that the pope, knowing the prince was in Spain, ſhould deſire to make an advantage of that imprudence. He ſent therefore the diſpenſation, but it was to be delivered only on theſe terms, That the infanta ſhould have a church in London: That the children by this marriage ſhould be left to their mother's care till they were ten years old: That the nurſes ſhould be catholics, and appointed by the mother: That the king of England ſhould give ſecurity for the performance of the articles agreed upon concerning religion. James I. 1623. The pope adds new conditions to the diſpenſation. Wilſon, p. 768.

The article relating to the education of the children had been debated in November, and the pope and the king of Spain had inſiſted that the children ſhould be educated by their mother till marriageable. The king at firſt offered ſeven years, and the courts of Rome and Spain came to twelve. Then the king allowed nine, and the pope ten. At laſt, the earl of Briſtol received the king's orders, not to diſpute for a year more or leſs. The article about the education of the children is agreed upon. Wilſon, p. 776.

After the prince and the marquis of Buckingham came to Madrid, they managed the affair of the marriage excluſive of the earl of Briſtol. There was ſome debate upon the articles annexed to the pope's diſpenſation. The prince of Wales ſaid, he had no power to make the leaſt addition to the articles ſigned by the king his father, and the Spaniſh miniſters maintained, his catholic majeſty could not reject the conditions on which the pope had granted the diſpenſation: That it lay in the pope's breaſt to grant his favours on what terms he pleaſed, and that the diſpenſation was void without theſe conditions. In ſhort, it was thought proper to conſult the king of England by letter, and to aſk withal, what ſecurity he would give for the performance of the articles. James made no ſcruple concerning the time of the education of the children, or about the nurſes, becauſe theſe things were now ſettled. As to the ſecurity, he replied, he could give no other than his own, and the prince's royal words and oaths, confirmed by his council of ſtate, and exemplified under the great ſeal of England. All this not ſatisfying the pope's nuntio, who pretended to have particular orders upon that point, the king of Spain offered to become ſecurity himſelf; but it was Philip is ſecurity for king James. Du Cheſne. p. 1164. Wilſon, p. 768. Rushworth, v. i p. 84. Annals.

firſt

James I. 1623. first to be determined by a committee of eccleſiaſtics, that Philip might lawfully ſwear for the king of England. Some believe this to be a Spaniſh device, to make the king of Spain guarantee of the articles granted to the catholics. This difficulty being removed, the prince ſent Cottington to England with the articles concerning religion, newly drawn according to the pope's intentions, and with ſome other ſecret articles which were not to be publiſhed ſo ſoon.

Wilſon, p. 768. Cottington carries the articles ſigned by the king to England.

It muſt be remarked, that hitherto there was no other writing concerning the infanta's dowry, than a rough draught, approved indeed by the king of Spain in a forementioned letter directed to his miniſters, but which remained in the hands of Olivarez. Much leſs had there been any care taken about the reſtitution of the Palatinate, James being unwilling to make this one of the marriage-articles, for fear it ſhould be in recompence of the two millions promiſed him for the infanta's dowry. But he was very willing to receive the Palatinate from the king of Spain's bounty, when the marriage ſhould be conſummated. This at leaſt was his project, and, no doubt, at the time the court of Spain ſought only to amuſe him, he was made to expect the reſtitution of the Palatinate, though without any written engagement. Mean while, James depended upon this verbal promiſe, as if it had been a treaty ſigned with the Spaniard's own hand [m].

Nothing is ſtipulated about the dowry or Palatinate. Wilſon, p. 773.

Cottington being come to England with the articles both public and private, it was rumoured, that the pope and the king of Spain demanded a toleration for the Engliſh papiſts. The king himſelf occaſioned the rumour, by aſking his council, Whether it would be convenient to grant ſuch a toleration? Whereupon, Abbot, archbiſhop of Canterbury, who had withdrawn to his own houſe ever ſince the fatal accident of killing the park-keeper, and came no more to the council, thought it his duty to write the following letter to the king.

The king debates in council about tolerating the papiſts. Wilſon.

May it pleaſe your majeſty,

The archbiſhop's letter to the king againſt toleration of popery.

"I Have been too long ſilent, and I am afraid by my ſilence I have neglected the duty of the place it hath pleaſed God to call me unto, and your majeſty to place me in: But I now humbly crave leave I may diſcharge my conſcience towards God, and my duty to your majeſty; and

[m] See king James's inſtructions to the earl of Briſtol, and the earl's defence, in Rushworth, and the Annals.

"therefore

" therefore I beſeech you freely to give me leave to deliver myſelf, and then let your majeſty do with me what you " pleaſe. Your majeſty hath propounded a toleration of re- " ligion; I beſeech you take it into your conſideration what " your act is, what the conſequence may be. By your act " you labour to ſet up the moſt damnable and heretical doc- " trine of the church of Rome, the whore of Babylon: " How hateful it will be to God, and grievous to your good " ſubjects, the profeſſors of the goſpel, That your majeſty, " who hath often diſputed, and learnedly written againſt " thoſe hereſies, ſhould now ſhew yourſelf a patron of thoſe " wicked doctrines, which your pen hath told the world, and " your conſcience tells yourſelf, are ſuperſtitious, idolatrous, " and deteſtable. And hereunto I add what you have done " in ſending the prince into Spain without conſent of your " council, the privity and approbation of your people: And " although you have a charge and intereſt in the prince, as " ſon of your fleſh, yet have the people a greater, as ſon " of the kingdom, upon whom next after your majeſty are " their eyes fixed, and welfare depends; and ſo tenderly is " his going apprehended, as (believe it) however his return " may be ſafe, yet the drawers of him into this action, ſo " dangerous to himſelf, ſo deſperate to the kingdom, will " not paſs away unqueſtioned, unpuniſhed. Beſides, this " toleration which you endeavour to ſet up by your procla- " mation, cannot be done without a parliament, unleſs your " majeſty will let your ſubjects ſee that you will take unto " yourſelf ability to throw down the laws of your land at your " pleaſure. What dread conſequence theſe things may draw " afterwards, I beſeech your majeſty to conſider; and above " all, leſt by this toleration and diſcountenancing of the true " profeſſion of the goſpel, wherewith God hath bleſſed us, " and this kingdom hath ſo long flouriſhed under, your ma- " jeſty do not draw upon this kingdom in general, and your " ſelf in particular, God's heavy wrath and indignation.

" Thus in diſcharge of my duty towards God, to your " majeſty, and the place of my calling, I have taken humble " leave to deliver my conſcience. Now, Sir, do what you " pleaſe with me."

James I. 1623.

Wilſon, p. 768. Coke. Ruſhworth, t. i. p. 85.

It may be ſeen by this letter, it was not without reaſon that the archbiſhop paſſed for a puritan, at leaſt, according to the notions of the court, where all were conſidered as puritans who refuſed to aſcribe to the king an unlimited power. Wherefore his counſels were not regarded.

ne

James I. 1623.

The king did not long detain Cottington in England. As it was not now time to diſpute, and he was required to ſign the articles as brought by Cottington, without any alterations, he choſe to do it rather than hazard a breach of the marriage, when the prince his ſon was in the hands of the Spaniard. He ſigned them therefore, and ſolemnly ſwore to them. As theſe articles were new drawn, explained, and increaſed to twenty-three, beſides four ſecret articles, the reader, perhaps, will be glad to view them in their new form, and ſee withal how far the king carried his compliance.

The king ſigns the articles ſent from Spain. Wilſon.

Articles ſworn by the king. Wilſon. Annals of James I. p. 78. Ruſhworth, t. i. p. 86.

I. That the marriage be made by diſpenſation of the pope, but that to be procured by the endeavour of the king of Spain.

II. That the marriage be once only celebrated in Spain, and ratified in England, in form following: in the morning, after the moſt gracious infanta hath ended her devotions in the chapel, ſhe, and the moſt excellent prince Charles, ſhall meet in the king's chapel, or in ſome other room of the palace, where it ſhall ſeem moſt expedient; and there ſhall be read all the procurations, by virtue whereof the marriage was celebrated in Spain; and as well the moſt excellent prince, as the moſt excellent infanta, ſhall ratify the ſaid marriage celebrated in Spain, with all ſolemnity neceſſary for ſuch an act: ſo as no ceremony, or other thing intervene, which ſhall be contrary to the Roman catholic apoſtolic religion.

III. That the moſt gracious infanta ſhall take with her ſuch ſervants and family as are convenient for her ſervice; which family, and all perſons to her belonging, ſhall be choſen and nominated by the catholic king: ſo as he nominate no ſervant which is vaſſal to the king of Great Britain, without his will and conſent.

IV. That as well the moſt gracious infanta, as all her ſervants and family, ſhall have free uſe and public exerciſe of the Roman catholic religion, in manner and form as is beneath capitulated.

V. That ſhe ſhall have an oratory and decent chapel in her palace, where, at the pleaſure of the moſt gracious infanta, maſſes may be celebrated; and in like manner, ſhe ſhall have in London, or whereſoever ſhe ſhall make her abode, a public and capacious church near her palace, wherein all duties may be ſolemnly celebrated, and all other things neceſſary for the public preaching of God's word, the celebration and adminiſtration of all the ſacraments of the catholic Roman church, and for burial of the dead, and baptizing of children. That the ſaid oratory, chapel, and church ſhall be adorned with

with ſuch decency, as ſhall ſeem convenient to the moſt gra- James I.
cious infanta. 1623.

VI. That the men-ſervants and maid-ſervants of the moſt gracious infanta, and their ſervants, children, and deſcendants, and all their families, of what ſort ſoever, ſerving her highneſs, may be freely and publicly catholics.

VII. That the moſt gracious infanta, her ſervants and family, may live as catholics in form following: that the moſt gracious infanta ſhall have in her palace, her oratory and chapel ſo ſpacious, that her ſaid ſervants and family may enter and ſtay therein; in which there ſhall be an ordinary and public door for them, and another inward door, by which the infanta may have a paſſage into the ſaid chapel, where ſhe and others, as aboveſaid, may be preſent at divine offices.

VIII. That the chapel, church and oratory, may be beautified with decent ornaments of altars, and other things neceſſary for divine ſervice, which is to be celebrated in them, according to the cuſtom of the holy Roman church; and that it ſhall be lawful for the ſaid ſervants and others, to go to the ſaid chapel and church at all hours, as to them ſhall ſeem expedient.

IX. That the care and cuſtody of the ſaid chapel and church, ſhall be committed to ſuch as the lady infanta ſhall appoint, to whom it ſhall be lawful to appoint keepers, that no body may enter into them to do any undecent thing.

X. That to the adminiſtration of the ſacraments, and to ſerve in chapel and church aforeſaid, there ſhall be four and twenty prieſts and aſſiſtants, who ſhall ſerve weekly or monthly, as the infanta ſhall ſeem fit; and the election of them ſhall belong to the lady infanta, and the catholic king, provided that they be none of the vaſſals of the king of Great Britain; and if they be, his will and conſent is to be firſt obtained.

XI. That there be one ſuperior miniſter or biſhop, with neceſſary authority upon all occaſions which ſhall happen belonging to religion; and for want of a biſhop, that his vicar may have his authority and juriſdiction.

XII. That this biſhop or ſuperior miniſter may correct and chaſtiſe all Roman catholics who ſhall offend, and ſhall exerciſe upon them all juriſdiction eccleſiaſtical: and moreover alſo, the lady infanta ſhall have power to put them out of her ſervice, whenſoever it ſhall ſeem expedient to her.

XIII. That it may be lawful for the lady infanta and her ſervants to procure from Rome diſpenſations, indulgences, jubilees, and all graces as ſhall ſeem fit to their religion [redacted] conſcience

James I. 1623.

consciences, and to get and make use of any manner of catholic books whatsoever.

XIV. That the servants and family of the lady infanta, who shall come into England, shall take the oath of allegiance to the king of Great Britain: provided, that there be no clause therein which shall be contrary to their consciences, and the Roman catholic religion; and if they happen to be vassals to the king of Great Britain, they shall take the same oath that the Spaniards do.

XV. That the laws which are or shall be in England against religion, shall not take hold of the said servants; and only the foresaid superior ecclesiastical catholic may proceed against ecclesiastical persons, as hath been accustomed by catholics: and if any secular judge shall apprehend any ecclesiastical person for any offence, he shall forthwith cause him to be delivered to the aforesaid superior ecclesiastic, who shall proceed against him according to the canon law.

XVI. That the laws made against catholics in England, or in any other kingdom of the king of Great Britain, shall not extend to the children of this marriage; and though they be catholics, they shall not lose the right of succession to the kingdom and dominions of Great Britain.

XVII. That the nurses which shall give suck to the children of the lady infanta, (whether they be of the kingdom of Great Britain, or of any other nation whatsoever) shall be chosen by the lady infanta, as she pleaseth, and shall be accounted of her family, and enjoy the privileges thereof.

XVIII. That the bishop, ecclesiastical and religious persons of the family of the lady infanta, shall wear the vestments and habit of their dignity, profession, and religion, after the custom of Rome.

XIX. For security that the said matrimony be not dissolved for any cause whatsoever, the king and prince are equally to pass the word and honour of a king; and moreover, that they will perform whatsoever shall be propounded by the catholic king for further confirmation, if it may be done decently and fitly.

XX. That the sons and daughters which shall be born of this marriage, shall be brought up in the company of the most excellent infanta, at the least, until the age of ten years, and shall freely enjoy the right of succession to the kingdoms, as aforesaid.

XXI. That whensoever any place of either man-servant or [illegible]aid-servant, which the lady infanta shall bring with her, [illegible]minated by the catholic king her brother) shall happen to be

be void, whether by death, or by other cauſe or accident, all the ſaid ſervants of her family are to be ſupplied by the catholic king, as aforeſaid. James I. 1623.

XXII. For ſecurity that whatſoever is capitulated may be fulfilled, the king of Great Britain and prince Charles are to be bound by oath; and all the king's council ſhall confirm the ſaid treaty under their hands: moreover, the ſaid king and prince are to give their faiths in the word of a king, to endeavour, if poſſible, that whatſoever is capitulated may be eſtabliſhed by parliament.

XXIII. That conformable to this treaty, all theſe things propoſed, are to be allowed and approved of by the pope, that he may give an apoſtolical benediction, and a diſpenſation neceſſary to effect the marriage.

Difficulty concerning the pope's title.

The king ratified theſe articles in the uſual form, and ſwore to obſerve them, before the two Spaniſh ambaſſadors and twenty[n] privy-counſellors, who all ſigned the treaty. When the king came to take the oath, he had ſome diſpute with the ambaſſadors. His majeſty would not give the pope the title of Holy Father, or His Holineſs, ſaying, he had writ againſt this title, and it was unreaſonable to make him retract. But the ambaſſadors inſiſting upon it, the king yielded at laſt, not thinking he ought, for ſuch a trifle, retard a treaty, which had now been ſeven years on foot.

The king yields. Du Cheſne. Coke. Wilſon. Rushworth, tom. i. p. 90. Annals.

After publicly taking the oath, he withdrew into his cloſet, where, in preſence of the ſame ambaſſadors, and ſome privy-counſellors, he ratified and ſwore to theſe four ſecret articles.

Private articles. Wilſon, p. 769. Annals of James I. p. 79. Rushworth tom i. p. 8.

I. That particular laws made againſt Roman catholics, under which other vaſſals of our realms are not comprehended, and to whoſe obſervation all generally are not obliged; as likewiſe general laws, under which all are equally comprized, if ſo be they are ſuch which are repugnant to the Romiſh religion, ſhall not at any time hereafter, by any means or chance whatſoever, directly or indirectly, be commanded to be put in execution againſt the ſaid Roman catholics; and we will cauſe that our council ſhall take the ſame oath, as far as it pertains to them, and belongs to the execution, which by the hands of them and their miniſters, is to be exerciſed.

II. That no other laws ſhall hereafter be made anew againſt the ſaid Roman catholics, but that there ſhall be a perpetual

[n] There are but nineteen named in Wilſon, p. 769.

tole-

James I. 1623. toleration of the Roman catholic religion, within private houſes throughout all our realms and dominions, which we will have to be underſtood as well of our kingdoms of Scotland and Ireland, as in England; which ſhall be granted to them in manner and form, as is capitulated, decreed, and granted in the article of the treaty concerning the marriage.

III. That neither by us, nor any other interpoſed perſon whatſoever, directly or indirectly, privately or publicly, will we treat (or attempt) any thing with the moſt renowned lady infanta Donna Maria, which ſhall be repugnant to the Romiſh catholic religion; neither will we by any means perſuade her, that ſhe ſhould ever renounce or relinquiſh the ſame in ſubſtance or form, or that ſhe ſhould do any thing repugnant or contrary to thoſe things which are contained in the treaty of matrimony.

IV. That we and the prince of Wales will interpoſe our authority, and will do as much as in us ſhall lie, that the parliament ſhall approve, confirm, and ratify all and ſingular articles in favour of the Roman catholics, capitulated between the moſt renowned kings by reaſon of this marriage: and that the ſaid parliament ſhall revoke and abrogate particular laws made againſt the ſaid Roman catholics, to whoſe obſervance alſo the reſt of our ſubjects and vaſſals are not obliged: as likewiſe the general laws under which all are equally comprehended; to wit, as to the Roman catholics, if they be ſuch as is aforeſaid, which are repugnant to the Roman catholic religion: and that hereafter, we will not conſent that the ſaid parliament ſhould ever, at any time, enact or write any other new laws againſt the Roman catholics °.

Theſe are the four articles which ſerved for foundation to the pope's diſpenſation: for, as the Congregation de propagandâ ſaid, "The other articles are only to ſecure the infanta's religion: but there muſt be ſomething more for the "catholics in general, before the diſpenſation can be granted." Nalſon and others pretend, thoſe four ſecret articles are fictitious, groundleſs, and even improbable. But, beſides that they follow very naturally from what was demanded by the Congregation de propagandâ, and are manifeſtly alluded to in the archbiſhop's letter to the king, we ſhall ſee preſently a paper which leaves no room to doubt, that the king had engaged to perform the contents of the four articles.

° The author of the Annals ſays, these four articles muſt be taken entirely upon Ruſhworth's credit, p. 80. Rapin.

It

It is pretended, all theſe articles, as well public as private, ſigned by the king and privy-council, with the great ſeal annexed, being brought to Spain, the prince of Wales made the following additions. But I confeſs, I do not find ſo ſtrong proofs of theſe additions, as of the foregoing articles. This depends upon the degree of credit, which the reader is willing to give the firſt publiſhers. James I. 1623.

" Moreover, I Charles prince of Wales engage myſelf, " (and promiſe, that the moſt illuſtrious king of Great Bri- " tain my moſt honoured lord and father, ſhall do the ſame " both by word and writing) that all thoſe things which " are contained in the foregoing articles, and concern as well " the ſuſpenſion as the abrogation of all laws made againſt " the Roman catholics, ſhall within three years infallibly " take effect, and ſooner, if it be poſſible, which we will " have to lie upon our conſcience and royal honour: that I " will intercede with the moſt illuſtrious king of Great Bri- " tain my father, that the ten years of the education of the " children which ſhall be born of this marriage, with the " moſt illuſtrious lady infanta their mother, accorded in the " 23d Art. (which term the pope of Rome deſires to have " prorogued to twelve years) may be lengthened to the ſaid " term: and I promiſe freely and of my own accord, and " ſwear, that if it ſo happen, that the entire power of diſ- " poſing of this matter be devolved to me, I will alſo " grant and approve the ſaid term. Furthermore, I prince " of Wales oblige myſelf, upon my faith to the catholic king, " that as often as the moſt illuſtrious lady infanta ſhall re- " quire, that I ſhould give ear to divines or others, whom " her highneſs ſhall be pleaſed to employ in matter of the " Roman catholic religion, I will hearken to them willingly " without all difficulty, laying aſide all excuſe. And for " further caution in point of the free exerciſe of the catholic " religion, and the ſuſpenſion of the law above-named, I " Charles prince of Wales, promiſe and take upon me in the " word of a king, that the things above promiſed and treated " concerning thoſe matters, ſhall take effect, and be put in " execution, as well in the kingdoms of Scotland and Ireland, " as of England."

Articles ſworn to by the prince of Wales. Wilſon. p. 247. Du Cheſne. Annals, p. 80. Ruſhworth, tom. i. p. 89.

This was the effect of the prince's and Buckingham's journey to Spain, a journey not only needleſs, but even pernicious, as may eaſily be ſeen by all the additions made to the articles ſettled by the earl of Briſtol. The king was ſo glad that he had Wilſon. p. 76.

James I. 1623. had finiſhed the affair of the marriage, that he defied all the devils in hell to break it [p]. As a grateful acknowledgment for his favorite's great ſervices, he ſent him a patent creating him duke of Buckingham. There was no other duke at that time in England [q].

Buckingham is created a duke. Act. Pub. xvii. p. 495. Coke.

The king's compliance in every thing he had ſigned and ratified was ſo great, that the Spaniards could hardly believe it ſincere. Some who knew the Engliſh conſtitution maintained, it was not in the king's power to perform his promiſes, or in caſe he attempted it, a rebellion would infallibly follow. Wherefore the king of Spain appointed a committee to take the matter into conſideration. The reſult of the debate was, that it was not proper to ſend the infanta to England before the next ſpring; that in this interval, the performance of the articles granted to the catholics, and their effects, might be aſſured. Upon this the Spaniſh ambaſſadors in England had orders to deſire the king to begin to execute his engagements in favour of the catholics. This demand embarraſſed him. What he had promiſed was ſecret, and not to be performed till after the marriage, and he was preſſed to make it public by the execution, whilſt the prince was ſtill in Spain. This was a ſort of menace that the marriage ſhould not be ſolemnized, before he had given public marks of his ſincerity. He knew a proclamation for granting the papiſts a toleration might be attended with ill conſequences; that theſe conſequences might break off the marriage, and the prince his ſon would be in danger of being detained in Spain. To free himſelf from this perplexity, he reſolved to give the ambaſſadors ſome ſatisfaction, by putting into their hands a declaration of his council, containing his intention about this affair. In all appearance, the ambaſſadors were prevailed with to conſent, that the performance of it ſhould be deferred, by reaſon of the accidents that might follow. The declaration was thus:

Fresh difficulty in Spain. The court of Spain want to ſee the ſecret articles executed. Ruſhworth, tom. i. p. 93.

[p] One that heard king James ſay this, told the ſtanders-by, That there was never a devil now left in hell, for they were all gone to Spain to make up the match. Wilſon, p. 770.

[q] He was created earl of Coventry, and duke of Buckingham: his patent bears date May 18. See Rymer's Fœd. tom. xvii. p. 497. James Hay, earl of Carliſle brought over the patent. The lord Kenſington, captain of the king's guard, came alſo to ſee the prince, as did the earl of Denbigh, Edward ſon and heir to Henry Montague viſcount Mandeville, the viſcount Rochford, and divers others of the nobility; and the prince was ſo incircled with a ſplendid retinue of his own nation, that it might be ſaid, there was an Engliſh court in the king of Spain's palace. Wilſon, p. 765. Annals, p. 75.

A de-

Saliſbury, Aug. 7. 1623.

A declaration touching the pardons, ſuſpenſions, and diſpenſations of the Roman catholics.

" FOR the ſatisfaction of their excellencies, the marquis Ynojoſa and Don Carolus de Colonia, the lords ambaſſadors for the king of Spain; and to the end it may appear that his majeſty of Great Britain will preſently and really put in execution the grace promiſed and intended to the Roman catholics his majeſty's ſubjects, and of his own grace more than he is tied to by the articles of treaty of marriage [r].

Declaration in behalf of the Roman catholics. Ruſhworth, t. i. p. 288. Annals of Charles I. p. 143. Du Cheſne. p. 1163. The earl of Briſtol's defence.

" We do declare in his majeſty's name, that his majeſty's will and pleaſure is, that a legal and authentical pardon ſhall be paſſed under the great-ſeal, wherein ſhall be freely pardoned all thoſe penalties, forfeitures and ſeizures, indictments, convictments and incumbrances whatſoever, whereunto the Roman catholics are liable, or have been proceeded againſt, or might be, as well prieſts as others, for matters of conſcience only, and to which the reſt of his majeſty's ſubjects are not liable. And to the end his majeſty may make himſelf clearly underſtood, where it ſhall happen that any of theſe forfeitures and pecuniary mulcts have been given away under his majeſty's great-ſeal, his majeſty will not hide that it is not in his power ſo to make void thoſe letters patents, except they be voidable by law; and then his majeſty is well pleaſed that all Roman catholics may in thoſe caſes plead in law, if they find it good, and ſhall have equal and legal trial. And his majeſty is likewiſe pleaſed, that his general pardon ſhall remain in being five years, to the end all that will may in that time take it out; and his majeſty will give order for the comfort of the poorer ſort, that the pardon ſhall not be coſtly, but ſuch like courſe ſhall be taken as was in a like occaſion at his majeſty's coming into England; and that it ſhall be lawful to put as many as can be poſſible into one pardon.

" And we do farther declare, that his majeſty's will and pleaſure is, to the end the Roman catholics, his majeſty's ſubjects, may have a preſent and a free fruition of as much as is intended them by the articles of treaty of marriage,

[r] The treaty of the twenty-three articles contained no grant at all in favour of the catholics in general. Conſequently this muſt relate to the ſecret articles of the ſame treaty. Rapin.

James I. 1623. "to cauſe a preſent ſuſpenſion under his majeſty's ſeal of all "thoſe penal laws, charges, and forfeitures, whereunto the "Roman catholic ſubjects of his majeſty have heretofore been "ſubject, and to which the reſt of his majeſty's ſubjects have "not been liable; and in the ſame grant, and under the "ſame ſeal, to give a diſpenſation and toleration to all the "Roman catholics his majeſty's ſubjects, as well prieſts, as "temporal perſons and others, of and from all the penalties, "forfeitures, troubles, and incumbrances, which they have "been or may be ſubject to, by reaſon of any ſtatute or law "whatſoever, to the obſervation whereof the reſt of his ma-"jeſty's ſubjects are not bound. We do likewiſe declare, "that his majeſty hath promiſed his royal word, that the exe-"cution ſhall be no ways burthenſome or penal to the Ro-"man catholics, but that for the manner of privilegeing "and freeing them from that, he muſt confer with biſhops "and advocates, into which he will preſently enter and ex-"pedite by all means.

"And we do further declare; That his majeſty's intention "is, preſently to purſue his former directions (which had "been before executed if their excellencies had ſo thought "good) to put under his ſeal ſeverally the ſaid pardon, "and ſuſpenſion, and diſpenſation; and that his majeſty's "attorney, and learned council ſhall have referred to them "the charge to pen them with all thoſe effectual words, "clauſes, expreſſions, and reſervations, which may preſently "give fruition to the Roman catholics his majeſty's ſubjects, "and make them inviolable in the fruition of all that is in-"tended and promiſed by his majeſty in the articles of mar-"riage, and his majeſty's further grace.

"And we do declare, That his majeſty's further will and "pleaſure is, for the better ſatisfaction and diſcharge of the "care and endeavour of their excellencies the ambaſſadors, "that it ſhall be lawful to them to aſſign a diſcreet perſon to "entertain ſuch ſufficient lawyers as ſhall be thought fit to "take care to the ſtrength, validity, and ſecurity of the ſaid "grants: and his majeſty's attorney ſhall have charge to re-"ceive and admit the ſaid lawyers to the ſight and judgment "of the ſaid draughts, and in any doubts to give them ſatiſ-"faction, or to uſe ſuch legal, neceſſary and pertinent words "and phraſes, as he the ſaid lawyer ſhall propound for the "ſecurity of the Roman catholics, and ſure making of the "ſaid grants.

"And we do further declare, That his majeſty's pleaſure "is, to make a diſpatch into Ireland unto his deputy there,

"by

"by the hands of the lord treaſurer and ſecretary of ſtate Sir George Calvert, for the preſent confirming and ſealing the things concerning the Roman catholics, anſwerable to the articles of treaty, his royal promiſe and proceedings here: And for Scotland, that his majeſty, according to the conſtitution of his affairs there, and regard to the public good, and peace of that kingdom, and as ſoon as poſſible, will do all that ſhall be convenient for the accompliſhment of his promiſe in grace and favour of the Roman catholics his ſubjects, conformable to the articles of treaty of marriage." James I. 1623.

Ruſhworth. t. i. p. 290.

This declaration ſigned by ſecretary Conway and ſome privy-counſellors, who were moſt truſted by the king, was very probably ſent to Spain as a pledge of the king's intention to perform his engagements. There it was that the earl of Briſtol found means to have either the original itſelf, or a copy, which he produced before the parliament in 1626, to ſhow what the duke of Buckingham had negotiated in Spain without his privity. It is manifeſt, firſt, That this declaration ſuppoſes the ſecret articles; ſecondly, That the earl of Briſtol would not have ventured to produce it before the parliament, had he not been able to prove it no forgery [s].

Death of Greg. XV. which renders the diſpenſation null. Wilſon. Annals.

Whilſt theſe things paſſed in England, news came to Madrid of pope Gregory XV's death, which was a freſh obſtacle to the concluſion of the marriage. When Cottington arrived from England with the ratification of the articles, the nuntio refuſed to deliver the diſpenſation, affirming, as the marriage was not yet celebrated, the deceaſed pope's diſpenſation was of no force, and therefore it was neceſſary to ſtay till there was a new pope, who might grant a valid diſpenſation. By this accident the prince of Wales ſaw himſelf detained in Spain till the election of a new pope. The 29th of Auguſt however was appointed for the celebration of the marriage, in a ſuppoſition, that before that time there would be a pope and a new diſpenſation.

They are forced to ſtay for a new diſpenſation. Wilſon.

Mean while, the reſtitution of the Palatinate was not talked of, or if mentioned, it was only by way of converſation, without any poſitive demand on the king of Spain, or his mi-

[s] In purſuance of this declaration, there was a general pardon drawn in as full and ample a manner as the papiſts themſelves could deſire: and two general commands were iſſued out, one to all judges, juſtices of peace, &c. and the other to all biſhops, chancellors, and commiſſaries, not to execute any ſtatute againſt recuſants. But to this ſome ſtop was put, by the advice of the lord-keeper Williams. See Ruſhworth, tom. 1. p. 101. Cabala, p. 297. The biſhop of Chalcedon came alſo into England to exerciſe juriſdiction over the catholics of that kingdom, and a chapel began to be built at St. James's for the infanta. Annals, p. 81.

James I. 1623.

niſters. I have already ſhown the reaſon. As to the temporal articles, they were in the ſame ſtate as when the prince came to Madrid, and nothing ſigned on either ſide; ſo that if the diſpenſation arrived before the 29th of Auguſt, the marriage muſt have been either deferred, or ſolemnized before theſe articles were ſettled.

Project to perſuade the prince to turn papiſt. Ruſhworth. t. i. p. 262.

But the court of Spain was intent upon a project of greater conſequence, namely, to endeavour to perſuade the prince of Wales to turn catholic; and it is not very ſtrange, they ſhould hope to ſucceed, after what had paſſed. Beſides, if we may believe the earl of Briſtol in the impeachment he brought before the parliament againſt Buckingham, that duke gave the Spaniards too much reaſon to expect this pretended converſion. And to this alone is to be aſcribed the delay of the diſpenſation. Urban VIII, who was choſen the 6th of Auguſt, would not have failed to ſend it, had he not waited for this happy event, which he ſtrove to advance by his letters to the prince and the duke of Buckingham. This occaſioned at laſt the breach of the marriage, after having been ſo long deferred.

Urban VIII. choſen pope, delays to grant the diſpenſation. Annals.

Probable cauſes of the breach of the marriage.

I have very carefully ſearched after the real cauſe of this breach, but could never meet with any thing ſatisfactory. All agree, it was the duke of Buckingham that firſt inſpired the prince, and afterwards the king with the thought, but it is difficult to gueſs his motive, and what cauſed him to break his firſt meaſures and purſue a contrary courſe, ſo obſcurely is this point explained by the hiſtorians. Some ſay, the duke rendered himſelf contemptible and odious to the court of Spain, by affecting to follow the French faſhions, in almoſt every thing oppoſite to the Spaniſh: that for this reaſon, foreſeeing the infanta and the Spaniards would have great power at the court of England, he thought they might in the end do him ſome ill-turn, and therefore reſolved to break off the match. Others ſay, Olivarez, favourite of Philip IV. reminding the duke of his promiſe that the prince ſhould turn catholic, the duke gave him the lye to his face, and from that time ſought means to retire from the Spaniſh court, for fear of the Conde's revenge. Some ſay, the queen of Bohemia, perceiving there was no likelihood of recovering the Palatinate by this marriage, and having much more reaſon to expect great advantages from a rupture between England and Spain, ſent a truſty meſſenger * to the duke, with certain offers, in caſe he

Ruſhworth. t. i. p. 101. Clarendon. p. 29.

Wilſon. p. 774. Annals.

Du Cheſne. p. 1169. Wilſon. p. 773. Ruſhworth. t. i. p. 102.

* The elector Palatine's ſecretary; under pretence of deſiring the duke to be godfather to one of the elector's children. Ruſhworth, tom. i, p. 102.

would

would procure a breach. This is not improbable, and the Hollanders, to whom the union between Spain and England must have been prejudicial, might well be concerned in the project. In fine, the duke of Buckingham's greateſt favourers pretend, the duke having founded the king of Spain's intentions concerning the reſtitution of the Palatinate, found there was nothing to be expected, and therefore reſolved to break off a marriage, which was intended for no other purpoſe. It is certain at leaſt, the king, prince, and duke made uſe of this pretence to juſtify the breach. James I. 1623.

The prince reſolves to depart from Spain.

However, the duke of Buckingham having taken this reſolution, ſoon prevailed with the prince to agree to it, over whom he had now a very great aſcendant. There were two difficulties to be ſurmounted in the execution of this deſign. The firſt was to obtain the king's conſent. The ſecond, to get the prince out of Spain. The duke muſt have been fully perſuaded of his power over the king, to hope to incline him at once to deſiſt from a deſign, he had ſo conſtantly purſued for ſeven years, at the very time all was concluded, and nothing wanting but the nuptial ceremonies. He deſpaired not however of ſucceeding, and therefore ſent him word, he had at laſt diſcovered the king of Spain's inſincerity: that not only, he had no inclination to cauſe the Palatinate to be reſtored, but alſo was far from having the leaſt thought of accompliſhing the marriage, and the prince was in danger of being detained in Spain all his life. To ſupport what the duke ſaid, the prince himſelf writ to the king his father, telling him, "He muſt now look upon his ſiſter and her "children, never thinking more of him, and forgetting he "ever had ſuch a ſon." The king fell, or rather threw himſelf into this ſnare, without the leaſt reflection, and immediately writ to Buckingham to bring away the prince by all means. At the ſame time, he ſent ſome ſhips to St. Andero in Biſcay to take them on board.

He gets the king's conſent. Ruſhworth. t. i. p. 103. Coke. Weldon, p. 148. Coke. p. 135.

The firſt difficulty being overcome, means were to be deviſed to quit Spain, and not give the court any ſuſpicion, which could not be done without wounding the prince's honour and conſcience. Happily for them, Urban VIII. had not yet ſent the diſpenſation, nor even fixed any time for it. So Buckingham notified to his catholic majeſty the order he had received to bring back the prince to England, his return being abſolutely neceſſary to remove the nation's jealouſy of his ſo-long ſtay in Spain. Adding, his departure would cauſe no conſiderable alteration, ſince he would leave a proxy in the hands of any perſon, his majeſty ſhould pleaſe to appoint,

Means uſed by the prince to leave Madrid without cauſing any ſuſpicion in the court. Ruſhworth. t. i. p. 103.

James I. 1623.

point, to espouse the infanta in his name, as soon as the dispensation should come. The king of Spain was a little surprized at the prince's design. However, as he did not desire the infanta his sister should go before spring, he imagined, that after the espousals, it would be more easy to detain her, than if the prince of Wales was actually in Spain, and therefore he very readily consented to the prince's departure [u].

He leaves a proxy to celebrate the marriage. Rushworth. t. i. p. 103. Wilson. Annals.

The only point therefore was to be assured of the celebration of the marriage, and the king himself desired to be the prince's proxy jointly with prince Edward of Portugal. The proxy was drawn by the king's secretary, and the prince of Wales signing it in the presence of several witnesses, left it in the hands of the earl of Bristol, with orders to deliver it to the king of Spain, ten days after the dispensation should be received. This done, the duke of Buckingham departed first, under colour of preparing for the prince's reception on board the English fleet at St. Andero. The court saw him depart without any concern, or rather with a satisfaction equal to his impatience to be in a place of security. After his departure all imaginable honours were paid to the prince. The king himself conducted him to the Escurial [x], where he

Buckingham sets out first. Wilson. p. 774.

Mendoza's Relat. p. 7, &c.

[u] It has by some been wondered at, that the king of Spain should be so willing to let the prince go, when it was in his power to have kept him as long as he pleased, and make what advantage of it he had a mind to. But this point is cleared by the remark with which Spanhemius sums up what relates to the Spanish affair, "That never prince was "more obliged to a sister, than king "Charles the first was to the queen of "Bohemia; since it was only the con-"sideration of her and her children, "who were then the next heirs after "him to the crown of England, that "prevailed with the court of Spain to "permit him to see England again." Welwood, p. 28. There is to this purpose a pleasant jest in Coke's reign of king James I. His majesty, a little after the prince's departure for Spain, being in one of his pensive moods, Archy his buffoon comes in, and tells him, he must change caps with him: Why? says the king. Why, who (replies Archy) sent the prince into Spain? But what (answered the king) wilt thou say if the prince comes back again? Why then (said Archy) I will take my cap from thy head, and send it to the king of Spain: which 'tis said troubled the king sore. But his catholic majesty did not care to do any thing that should help the elector Palatine or his heirs to the crown of England. Coke, p. 131.

[x] The Escurial lies about eighteen miles from Madrid. 'Tis reckoned one of the most magnificent structures in Europe. The Spaniards call it the eighth wonder of the world. This mighty fabric was built by Philip II. in the form of a gridiron, (the emblem and instrument of St. Laurence's martyrdom, to whom it is dedicated) the handle whereof is the king's palace, and the square of the gridiron is divided into twelve spacious quadrangles, in which are arched cloysters, one above, the other below, all dedicated to religious orders, who live like princes rather than priests, with each his man and his mule. In the middle of the square stands a magnificent cathedral, to which Philip IV. added a chapel for the sepulchre of such kings and queens as leave issue behind them, who lie in curious

he received and feaſted him as a prince that was to be very ſhortly his brother-in-law. I ſhall not give a particular account of all the civilities that were ſhown him. It will ſuffice to ſay, that on the very day of his departure, he ſolemnly ſwore again to the articles of the marriage, and then left the proxy with the earl of Briſtol, of which one of the ſecretaries of ſtate made an authentic act, which was ſigned by ſeveral witneſſes. James I. 1623. Rushworth. t. i. p. 287. The prince ſwears to the articles again.

The prince went away, loaded with honours, careſſes, preſents, and attended by ſeveral lords of the court, who waited upon him to the fleet [y]. He was no ſooner come there, but he diſpatched to the earl of Briſtol Mr. Edward Clarke, one of Buckingham's creatures, with poſitive orders not to deliver the proxy till ſecurity was given him that the infanta, after the eſpouſals, would not betake herſelf to a cloiſter, and to ſend him word before the delivery of the proxy what ſecurity was offered, that he might be judge himſelf, whether it was proper to accept it. This was the firſt artifice uſed by the prince to gain time, in the fear that the diſpenſation would come, and the marriage be ſolemnized before the king his father was determined to break it. The earl of Briſtol not yet perceiving the intent of the order he had received, was afraid if he ſhould ſtay to the laſt, it might be an obſtacle to the conſummation of the marriage. He thought proper therefore to take care before the diſpenſation ſhould arrive, to know what ſecurity the court of Spain would give concerning the prince's ſcruple. He received as ſatisfactory an anſwer as he could wiſh, which he conveyed to the king and the prince by a letter. The prince departs. He ſends an order to the earl of Briſtol not to deliver the proxy. Wilſon. p. 776. Defence of the earl of Briſtol, in Rushworth. t. i. p. 297. Coke.

The prince and the duke arrived on the 5th of October at Portſmouth, and from thence poſted to Royſton, where the King was. It ſeems they durſt not immediately diſcover their deſign to the king about the breach of the marriage, but thought fit to take ſome precautions, to render it leſs ſtrange to him. What makes me think this, is that the earl of Briſtol's letter coming ſoon after, the king writ to him the 8th of October, that he was ſatisfied with the ſecurity offered by the court of Spain. The prince, who probably had not yet He arrives in England. Wilſon. Rushworth. Howes. He defers acquainting the king with his deſigns. Rushworth. t. i. p. 297.

curious coffins of black marble, which are placed in arches round the marble wall. The chapel is built in the form of the Pantheon. See Wilſon, p. 775.

[y] The prince departed from Madrid, September 9. and came to St. Andero the 11th. The fleet (ſent to convoy him over to England, and which conſiſted of eight men of war and two pinnaces, whereof Edward earl of Rutland was admiral) ſailed from St. Andero the 18th, and put into the Scilly iſlands the 29th. Relat. of the prince's Journey, p. 7——46. Rymer's Fœd. tom. 17. p. 486.

pre-

James I. 1623. prepared all his batteries, concealing his design, writ likewise to the earl of Briſtol the following letter, which no doubt was to be ſeen by the king his father.

Ruſhworth. t. i. p. 297. "Your letter to the king and me, concerning that doubt "I made after I came from St. Laurence, hath ſo ſatisfied "us both, that we think it fit no longer to ſtick upon it, "but leave it to your diſcretion to take what ſecurity you ſhall "think fitting."

The prince however was in danger of the diſpenſation's arriving at Madrid, before the earl of Briſtol ſhould have received a poſitive order not to deliver the proxy, ſince in that caſe, he would have been forced to execute what was enjoined him by the prince himſelf when he left the Eſcurial. But this riſk was to be run, there being no avoiding it, before the king was determined to a breach. It is true, himſelf and the duke had now begun to fill the king with doubts concerning the reſtitution of the Palatinate. Wherefore the king in his letter of the 8th of October, writ to the earl of Briſtol, that he hoped to receive before Chriſtmaſs the agreeable news both of his ſon's marriage, and ſon-in law's reſtoration [z]. Though this was not an expreſs order to demand the Palatinate before the eſpouſals, the earl of Briſtol thought proper however to take ſome care of an affair, ſo much neglected during the prince's ſtay in Spain, and even ſince the marriage articles were ſettled. He mentioned it therefore to Olivarez, and made him engage, the proxy ſhould not be demanded, till a written promiſe was put into his hands that the Palatinate ſhould be reſtored. Of this he informed the king in a letter of the 23d of November, wherein he told him he hoped by Chriſtmaſs, he ſhould congratulate the prince his ſon and the princeſs his daughter, the one upon his marriage, the other upon the end of her ſufferings.

The king's letter to the earl of Briſtol about the Palatinate. Ruſhworth. t. i. p. 105, 298. Annals. Coke. Wilſon.

The court of Madrid promiſes the reſtitution of the Palatinate. Ruſhworth. t. i. p. 299.

It muſt be obſerved, the prince of Wales, before he left Spain, had uſed an artifice to gain time, knowing he could not break off the marriage without the king's conſent. He had cauſed it to be inſerted in the proxy, that it ſhould remain in force only till Chriſtmaſs. He hoped the diſpenſation would not arrive before that time, or if it came but a few days before, the proxy would be uſeleſs. And indeed,

Artifice of the prince of Wales. Wilſon. p. 776. Ruſhworth. t. i. p. 106.

[z] King James commanded the earl of Briſtol, to procure inſtantly from the king of Spain, a punctual anſwer; and, before he delivered the powers, or moved the contract, to obtain from the king, either by a public act, or by an anſwer under his hand and ſeal, a direct engagement for the reſtitution of the Palatinate, and the electoral dignity. See Ruſhworth, tom. 1. p. 106, 107.

as

as the earl of Briſtol was not to deliver it till ten days after the arrival of the diſpenſation at Madrid, if the tenth day was after Chriſtmaſs-day, the proxy would be of no force, by virtue of the inſerted clauſe. But this precaution was not ſufficient, becauſe the diſpenſation might happen to be at Madrid above ten days before Chriſtmaſs. This obliged the prince and the duke at length to diſcover their minds to the king. Whether James yielded to their reaſons, or, out of an exceſſive condeſcenſion for his ſon and favourite, would not grieve them by a denial, he writ to the earl of Briſtol the 13th of November expreſsly ordering him not to deliver the proxy till after Chriſtmaſs: that is, when it was no longer valid. Moreover, he enjoined him not to diſcover this order to the court of Spain till the very laſt. This letter was ſent to the earl by three [a] ſeveral meſſengers, two by land, and one by ſea, for fear of accidents. It came in a critical time, for the diſpenſation arrived at Madrid the beginning of December, new ſtile [b], and the king's letter the 13th of November old ſtile. Upon the receit of the diſpenſation, Philip immediately ordered all the neceſſary preparations for the eſpouſals to be made [c]. But when the ten days were expired, and the marriage was expected to be ſolemnized, the earl of Briſtol notified to him the king his maſter's orders, not to deliver the proxy till after Chriſtmas. He eaſily perceived the king of England's intention, ſince the proxy would then be invalid. That very day he ſent to the earl of Briſtol to demand no more audience, and ordered that the infanta ſhould be no longer called the princeſs of Wales, as ſhe had been ever ſince the arrival of the diſpenſation, and cauſed all preparations for the marriage to ceaſe. Mean while, to caſt all the blame on the king of England, he ſent the earl of Briſtol on the 8th of January 1624, a written promiſe, ſigned with his own hand, whereby he engaged to cauſe the Palatinate to be reſtored to the elector Palatine. This the earl of Briſtol, in the following reign, affirmed before the parliament in his defence.

James I. 1623.

The king is prevailed with by the prince and Buckingham. He orders the earl of Briſtol not to deliver the proxy. Wilſon. p. 776. Ruſhworth. t. i. p. 111.

Du Cheſne. Wilſon. p. 777.

Ruſhworth, t. i. p. 298.

[a] Wilſon ſays four, Mr. Killigrew, Greſley, Wood, and Davis, p. 776.

[b] In a letter from Sir Walter Aſton to the duke of Buckingham, it is ſaid, That the diſpenſation came to Madrid, November 12. Cabala, p. 3.

[c] The king of Spain had ſent into England, Don Mendeſa de Alcarcana, to congratulate the prince's ſafe return, and from thence he had inſtructions to go and make known to all princes and potentates, allies to Spain, how near the marriage was. When the diſpenſation came, bonfires were made throughout all Spain, the 19th of December was fixt for the wedding-day, preſents were provided for our king and prince, the infanta's family was ſettled, and the beginning of March appointed for her coming over into England, &c. Wilſon, p. 776.

There

James I. 1623. There is ſcarce an Engliſh hiſtorian but what affirms, the want of this reſtitution was the cauſe of the breach of the marriage, and that the earl of Briſtol having demanded it of his catholic majeſty, as a condition without which the marriage could not be accompliſhed, Philip coldly anſwered, "The Palatinate was none of his to give, and the "emperor might be applied to." But this is directly contrary to the earl of Briſtol's own account, who doubtleſs knew more of the affair than any other. The earl of Clarendon took care not to ſpeak like the reſt. He contents himſelf with aſcribing the breach to ſome ſecret deſign of Buckingham.

Ruſhworth, t. i. p. 296. &c. Clarendon. t. i.

Thus ended the affair of the Spaniſh marriage, which had wholly employed king James for ſeven years. During all that time, he moſt earneſtly ſollicited the concluſion of it, and to ſucceed, ſcrupled not to ſacrifice the intereſts of his ſon-in-law, his own reputation, the religion he profeſſed, the good of his people, and the laws of his realm. But when at laſt it was going to be concluded, he ſuddenly broke it off, for reaſons which were never yet clearly known. It can only be aſcribed to his weakneſs for his favorite. The earl of Clarendon ſays poſitively, the king was compelled to it by the duke of Buckingham, "who, in breaking the marriage, "reſumed the ſame impetuoſity, he had indulged to himſelf "in the debate of the journey into Spain." He adds, "the "king plainly found the prince and duke were reſolved upon "a breach, with or without his approbation, and that he "never forgave the duke what he had done, but retained as "ſharp a memory of it as his nature could contain." It is to be preſumed, the earl of Clarendon was well acquainted with this affair, and the more, as he is not the only writer that intimates, the king had neither the power nor the courage to withſtand the prince and duke, who were ſtrictly united ſince their journey to Spain [c].

Clarendon. t. i. p. 16.

Mean

[c] In February this year, a cruel ſcene was acted at Amboyna in the Eaſt-Indies, of which this account is given. A treaty was concluded in 1619, between England and the United Provinces, whereby, among other things, it was agreed, that in regard of the great blood-ſhed and coſt, pretended to be beſtowed by the Hollanders, in winning the trade of the iſles of the Moluccaes, Banda, and Amboyna, from the Spaniards and Portugueſe, the Hollanders ſhould enjoy two thirds of that trade, and the Engliſh the other third. (See Rymer's Fœd. tom. xvii p. 170, &c.) In purſuance of this agreement, Engliſh factories were placed at the Moluccaes, and at Banda, and Amboyna. This laſt iſle is the principal place in the Eaſt-Indies, where nutmegs, mace, cinnamon, cloves, and ſpice grow. Here the Engliſh had been ſettled but about two years, when the Dutch, in order to deprive them of their

Mean time, for fear the earl of Briſtol ſhould by ſome means renew a treaty broken with ſo little reaſon, they cauſed him to be recalled. The king conſented the more readily to his return, as he ſaw no perſon in his court able to give him good counſels to free himſelf from the ſlavery he was under; but the earl of Briſtol, who never yielded to Buckingham's haughtineſs. This had drawn upon him the favorite's enmity to ſuch a degree, that ever after he was continually expoſed to his perſecutions and the prince's indignation, who following Buckingham's ſuggeſtions, forgot nothing to ruin him, even when he had mounted the throne, though without being able to ſucceed. James I 1624. Annals. p. 86. Clarendon. t. i. p. 18. Ruſhworth, t. i. p. 113. Coke. p. 140.

After the return of the prince and duke, the king no longer ruled, all his affairs were managed by them, and he only executed their counſels. The king ſaw about him none he could truſt. All his officers, all his courtiers, were the duke's creatures, and the more attached to him as they ſaw him ſtrictly united with the prince. In this ſituation, the king ſaw no other remedy than to ſurrender himſelf entirely to them, and do whatever they pleaſed, whether he feared an increaſe of their boldneſs by reſiſtance, or waited for ſome favorable opportunity to throw off their yoke. Not only the breach of their marriage had been reſolved between them, but alſo a war with Spain, and the king durſt not contradict them, notwithſtanding his averſion to arms. Their firſt project was to demand for this war a Benevolence of every ſubject: nay, they made the king ſign an order to levy it. Baker ſays in his Chronicle, he himſelf paid fifty pounds on this occaſion. But on a ſudden, the king, by advice of the prince and Buckingham, gave over the project, and reſolved to call a parliament. That was indeed the moſt proper way to juſtify the breach of the treaty with Spain, and to procure money, which he wanted extremely. Ruſhworth, t. i. p. 107. Clarendon. t. i. p. 20.

There was not one good Engliſhman but what had ever conſidered the Spaniſh match as very prejudicial to the kingdom. It was known in general, that the king, in favour of this marriage, had made large conceſſions with reſpect to

their ſhare of the ſpice-trade, pretended a plot was formed between the Engliſh and the natives, to get poſſeſſion of the Dutch fort at Amboyna. Whereupon the Engliſh were tortured by the Dutch, both with fire and water, in a moſt cruel and barbarous manner: and, on February 27, captain Gabriel Towerſon, and nine other Engliſh, with nine Japoneſe, and one Portugueſe, were ignominiouſly executed for this pretended conſpiracy, though they proteſted their innocency to the laſt. For this inſolent affront, no reparation was obtained, till the year 1654, when Cromwell made the Dutch pay 300,000 l. upon that account. See Relation of the Proceedings againſt the Engliſh at Amboyna, printed in 1624, and Coke, p. 141.

re-

James I. 1624.

religion, though the particulars, and especially the secret articles, were known to very few. But the king's condescension to the Roman catholics was a plain indication, the court of Spain had greatly prevailed with him. The duke of Buckingham not being ignorant of the people's aversion to the marriage, the breach whereof was not yet well known, doubted not to gain their affection, by causing a parliament to be called, and declaring himself the author of this happy breach, so passionately desired by all true Englishmen. To compass his ends, he rendered himself popular, and affected to caress both the church and state-puritans: nay, he consulted with Dr. John Preston head of the puritan party, how the king might seize the dean and chapter lands. Nothing could be more proper to procure him the love of the people, most of the clergy having rendered themselves odious, by their zeal in maintaining the prerogative royal [d]. So, the juncture being very favorable, the duke caused the king to call a parliament, notwithstanding his resolution never to summon another: nay, such was his power over the king, that he made him speak to the parliament in a manner the most repugnant to his opinions and principles.

Rushworth, t. i. p. 107.

Hacket. p. 203. Coke. p. 139.

The king calls a parliament.

Project of a match between the prince and Henrietta Maria of France.

Mean while, the prince and the duke had contrived another project, namely, the prince's marriage with Henrietta Maria, the king of France's sister, to which his majesty readily consented. He was so proud of his grandeur, that he could not think of marrying his son to any but a princess of royal extraction, and the third daughter of Henry IV. was the only princess then in Europe of that character. It is very probable, the person sent by the queen of Bohemia to Buckingham in Spain, made him the first overture of this match, and that the duke thereupon resolved to break the marriage, the prince was going to consummate with the infanta. However this be, the king approving the project, Henry Rich baron of Kensington was, on some pretence, sent to France, in order to sound the court concerning this marriage; and before his departure, he was created earl of Holland. I shall speak presently of the success of this negotiation; but must first see what passed in the parliament which met the 19th of February [e]. The king made a speech to both houses so different

Annals. p. 87. Rushworth. t. i. p. 114.

Coke. p. 147.

Act. Pub. xvii. 552. &c.

[d] The duke of Buckingham proposed also the selling the remainder of the crown-lands, but this project was strenuously opposed by the lord-keeper Williams, and accordingly laid aside. Hacket, p. 202.

[e] The parliament it seems was to meet the 12th of February, but the king that morning missing Lodowick Stewart duke of Richmond, (created so May 17, in the 1st of James I) and sending in haste for him, his duchess goes

ent from thoſe to the two former parliaments, that ſuch oppoſite expreſſions could hardly be thought to come from the mouth of the ſame prince, if it was not known how great an aſcendant Buckingham had over him, and how neceſſary it was to the favorite's deſigns, that the king ſhould talk in this manner. As the ſpeech is not ſo long as the others, the reader perhaps will be glad to ſee it. James I. 1624.

My lords and Gentlemen,

" I Have aſſembled you at this time, to impart to you a ſecret, and matter of as great importance, as can be to my ſtate, and the ſtate of my children; wherein I crave your beſt and ſafeſt advice and counſel, according as the writ whereby you were aſſembled, imports, " That the king would adviſe with you in matters concerning his eſtate and dignity." And as I have ever endeavoured, by this and the like ways, to procure and cheriſh the love of my people towards me, ſo I do hope, and my hope is exceeded by faith; for I fully now believe, that never any king was more beloved of his people; whom as you, my lords and gentlemen, do here repreſent, ſo would I have you truly to repreſent all their loves to me; that in you, as in a true mirror or glaſs, I may perfectly behold it, and not as in a falſe glaſs that repreſents it not at all, or otherwiſe than it is indeed. Give me your free and faithful counſels in the matter I propoſe, of which you have often heard, the match of my ſon: wherein, as you may know, I have ſpent much time with great coſt in long treaties, deſiring always therein (and not without reaſon hoping to have effected my deſires) the advancement of my ſtate and children, and the general peace of Chriſtendom, wherein I have always conſtantly laboured, depending upon fair hopes and promiſes. At the earneſt inſtance of my ſon, I was contented (although it was of an extraordinary nature) to ſend him to proſecute his deſires in Spain; and for his more ſafety, ſent Buckingham (in whom I ever repoſed moſt truſt of my perſon) with him, with this command " continually to be preſent with him, and never to leave him, till he had returned again ſafely

The king's ſpeech to the parliament. Annals of James I. P. 87. Wilſon. Ruſhworth. t. i. p 115.

goes to his bed-ſide to wake him, and drawing the curtain, found him dead in his bed. Upon news whereof the king would not adorn himſelf that day, and put off the parliament till the 16th. and afterwards till the 19th. His body was interred in Henry VII's chapel, and leaving no iſſue, his eſtate and honours deſcended to his brother Eſme Stuart. Howes, p. 1031. Dugdale's Baron. vol. ii. p. 426. Wilſon.

" unto

James I. 1624. "unto me." Which he performed, though not with that "effect in the buſineſs that I expected, yet not altogether "without profit; for it taught me this point of wiſdom, "qui verſatur in generalibus," is eaſily deceived, and that "generality brings nothing to good iſſue; but that before "any matter can be fully finiſhed, it muſt be brought to par- "ticulars: for, when, as I thought, the affair had been, "before their going, produced to a narrow point, relying "upon their general propoſitions, I found, when they came "there, the matter proved to be ſo raw, as if it had never "been treated of; the generals giving them eaſy way to in- "vade, and affording them means to avoid the effecting of "any thing [f].

"The particulars that paſſed in the treaty, I mean not "now to diſcover to you, the time being too ſhort; I refer "you to Charles and Buckingham, and the ſecretaries re- "ports, who ſhall relate unto you all the particulars. And "after that, "Super totam materiam", I deſire your beſt "aſſiſtance to adviſe me what is beſt and fitteſt for me to "do, for the good of the commonwealth, and the advance- "ment of religion, and the good of my ſon, and my grand- "children of the Palatinate. And of our eſtate, I know you "cannot but be ſenſible, conſidering that your welfare con- "ſiſts in ours, and you ſhall be ſure to have your ſhare in "what miſery ſhall befal us: and therefore I need to urge no "other argument to you in this behalf, in offering me your "wiſeſt and ſureſt counſel and furtherance. And I aſſure "you in the faith of a chriſtian king, that it is "res in- "tegra," preſented unto you, and that I ſtand not bound, "nor either way engaged, but remain free to follow what "ſhall be beſt adviſed.

"To plant is not ſufficient, unleſs like good gardeners, "you pluck up the weeds that will choak your labours: "and the greateſt weeds among you are jealouſies, root "them out. For my actions, I dare avow them before "God; but jealouſies are of a ſtrange depth. I am the "huſband, and you the wife, and it is ſubject to the wife "to be jealous of her huſband: let this be far from you. I "can truly ſay, and will avouch it before the ſeat of God "and angels, that never king governed with a purer, ſincerer, "and more uncorrupt heart, than I have done, far from all "will and meaning of the leaſt error or imperfection of my "reign.

[f] All this can relate only to the Palatinate, for the treaty of marriage was really concluded before the prince's voyage to Spain. Rapin.

"It

"It hath been talked of my remiſſneſs in maintenance of religion, and ſuſpicion of a toleration: but as God ſhall judge me, I never thought nor meant, nor ever in word expreſſed any thing that ſavoured of it[s]. It is true, that at times, for reaſons beſt known to myſelf, I did not ſo fully put thoſe laws in execution, but did wink and connive at ſome things, which might have hindered more weighty affairs; but I never in all my treaties ever agreed to any thing to the overthrow and diſagreeing of thoſe laws, but had in all a chief preſervation of that truth which I have ever profeſſed: and as in that reſpect I have a charitable conceit of you, I would have you have the like of me alſo, in which I did not tranſgreſs: for it is a good horſeman's part, not always to uſe his ſpurs, and keep ſtrait the reins, but ſometime to uſe the ſpurs, and ſuffer the reins more remiſs; ſo it is the part of a wiſe king, and my age and experience in government hath informed me, ſometime to quicken the laws with ſtreight executions, and at other times, upon juſt occaſions, to be more remiſs. And I would alſo remove from your thoughts all jealouſies, that I might or ever did queſtion or infringe any of your lawful liberties or privileges; but I proteſt before God, I ever intended you ſhould enjoy the fulneſs of all thoſe that former times give good warrant and teſtimony of, which, if need be, I will enlarge and amplify.

"Therefore I would have you, as I have in this place heretofore told you, as St. Paul did Timothy, avoid genealogies and curious queſtions, and nice querks and jerks of law, and idle innovations; and if you miniſter me no juſt occaſion, I never yet was, nor ever ſhall be curious or captious to quarrel with you: but I deſire you to avoid all doubts and hindrances, and to compoſe your ſelves ſpeedily and quietly to this weighty affair I have propoſed; for that I have found already, delays have proved dangerous, and have bred diſtraction of this buſineſs, and I would not have you by other occaſions to neglect or protract it. God is my judge, I ſpeak it as a chriſtian king, never any wayfaring man, that was in the deſerts of Arabia, and in danger of death for want of water to quench his thirſt,

James I. 1624.

[s] The archbiſhop's letter to the king, and the council's declaration to the Spaniſh ambaſſadors, not to mention the marriage articles, public and private, evidently ſhow the contrary. But the king had this hole to creep out at here, that he conſidered what he had done, and what he intended to do for the catholics, only as a ſuſpenſion of the penalties, and not as a real toleration. Rapin.

James I. 1624. "more desired water, than I thirst and desire the good and comfortable success of this parliament, and blessing of your councils, that the good issue of this may expiate and acquit the fruitless issue of the former. And I pray God, your counsels may advance religion, and the public weal, and the good of me and my children."

His speech is censured. Coke.

This speech, like the rest made by the king to his parliament, was liable to many censures which reflected on his sincerity. It could not be conceived that he really believed he was more beloved by his people than any of his predecessors, since no king had so frequently quarrelled with his parliament, which surely is no proper way to gain the people's affection. Those who were acquainted with the state of affairs, thought it very strange, the king should tell the parliament, that at the prince's arrival in Spain, the affair was so raw as if it had been never treated of, since he had already signed the marriage-articles, and as to the Palatinate, would not have it mentioned before the marriage was accomplished. The same persons could not forbear wondring, he should take God to witness, he never so much as thought or intended to grant a toleration to the papists, since it was one of the secret articles of the marriage, and since without being informed of such an article, it was easy to perceive, Philip gave his sister to the prince of Wales solely with that view. In fine, some malicious persons observed, that when the king said, he never intended to invade the people's liberties, the simile might very justly be applied to him, which himself had used on another occasion, of the person who took a man's purse, assuring him he had no design to rob him.

Buckingham explains the pretended reasons of the breach of the marriage. Feb. 24. Act. Pub. xvii. p. 556. &c. Rushworth. t. i. p. 119. Annals, n. 80. &c.

A few days after the king had delivered his speech, the two houses resolving upon a conference to examine the affair recommended by the king, the prince and Buckingham came and informed them of all particulars. After the prince had said a few words, the duke of Buckingham began and made a long speech, which he divided into six heads, under colour of more clearly explaining the affair, but in reality to confound it, and conceal the mutual coherence of the particulars he was to relate. Under the first head, he set forth the motives of the prince's journey to Spain. In the second, he spoke of the negotiation of the marriage apart by itself. In the third, he joined together the two affairs of the marriage and Palatinate. In the fourth, he declared the reasons of the prince's return. In the fifth, he informed the parliament of his majesty's subsequent proceedings in the affairs of the marriage

riage and Palatinate ſince the prince's return. In the ſixth and laſt, he ſtated the queſtion, wherein both houſes were to offer to his majeſty their advice and council. Whilſt he was ſpeaking, he turned, at the end of every point, to the prince, aſking him whether what he was ſaying was not true, to which the prince did not fail to anſwer, "Yes, it is true," or to the like effect. The intent of this whole ſpeech was to ſhow, the king had been unadviſedly ingaged in the treaty of the marriage by the falſe hopes given him by the earl of Briſtol: that the court of Spain never intended the marriage much leſs the reſtitution of the Palatinate, though the earl of Briſtol aſſured the contrary: that the prince had been ill uſed in Spain, and much preſſed to turn catholic: in a word, he intimated that the earl of Briſtol was only to blame, who had abuſed his majeſty's confidence. Nothing is more eaſy than to accuſe an abſent perſon. It is only concealing what makes for him, giving an ill turn to his moſt innocent actions, aggravating the faults he may have committed, and loading him with crimes he is not guilty of. This is preciſely what the duke of Buckingham did in reſpect of the earl of Briſtol, with the prince's approbation and aid. This is ſo true, that two years after, the prince being in the throne and having himſelf accuſed the earl of high treaſon, the earl in his defence to the parliament, gave a quite different narrative of the Spaniſh negotiation from that of the duke of Buckingham. He proved what he ſaid by unexceptionable papers, and defied the duke to anſwer them. He not only affirmed, that the duke's whole narration was falſe, but alſo impeached him in form, and gave in his impeachment to the houſe of lords, which remained unanſwered. This is ſufficient to ſhow the falſeneſs of the duke of Buckingham's narrative. So, I think it needleſs to enlarge any more upon the ſubject [h].

1624. Weldon. p. 163.

Remark on this ſpeech.

Ruſhworth. t. i. p. 249—302.

Ib. p. 246.

The duke of Buckingham's ſpeech was received however with applauſe for ſeveral reaſons. Firſt, he had made a party in the two houſes. Secondly, he had prevented the conſummation of the marriage in Spain, which was very grateful to the nation and parliament. In the third place, he had brought home the prince contrary to all expectation, and ſo removed the juſt fears of the Engliſh. Finally, the duke of Buckingham's narrative being atteſted by the prince himſelf, it could not be thought falſe. As the public was not informed of the ſecret circumſtances of the negotiation, it is no wonder the

The parliament applaud the duke. Wilſon. p. 79. Ruſhworth, t. i. p. 126. Annals. p. 93.

[h] The duke's whole narration and Briſtol's defence will be inſerted in vol. ix.

James I. 1624. parliament ſhould believe what they were told by the king, prince and duke. But afterwards, when all was diſcovered, people were of another ſentiment.

The Spaniſh ambaſſador complains of the duke. March 4. Annals, p. 93.

The Spaniſh ambaſſador being informed of what paſſed at the conference between the two houſes, demanded an audience of the king, and boldly complained, that the duke had reflected on the king of Spain's honour [1]. Adding, if a ſubject of his maſter had ſpoken thus of the king of England, it would coſt him his head. Probably, the ambaſſador hath been miſinformed, ſince the duke had not uſed any offenſive expreſſions againſt the king of Spain. He had only inſinuated, that Philip's intention was always to amuſe the king and the prince.

The parliament takes the king's part. Ruſhworth, t. i. p. 126.

Ib. p. 127.

As the duke of Buckingham was now the parliament's favorite, as well as the king's and prince's, both houſes openly took his part, and preſented an addreſs to his majeſty, declaring, the duke had ſaid nothing which could give offence to the king of Spain, and thanked the duke for his faithful relation atteſted by the prince. The king was ſo pleaſed with this addreſs, that he went and thanked the two houſes in a ſpeech, where he forgot not to proclaim the praiſes of his favorite. He ſaid, he could not doubt the truth of his narrative, becauſe he made the ſame to himſelf at his return from Spain. But the king muſt have been wilfully blind not to ſee the falſeneſs of the duke's narrative, or been ſtrangely kept under by the favorite, if he was made to atteſt before the parliament what he knew to be falſe.

The parliament adviſes the king to break the Spaniſh match. Wilſon, p. 780. Annals, p. 94. Ruſhworth, t. i. p. 128.

The parliament was extremely pleaſed to ſee the king diſpoſed to break the Spaniſh match, not knowing, or feigning not to know, it was really broken, by the affront put upon the king of Spain. But the king having affirmed, it was yet Res integra, the two houſes could not ſay otherwiſe. So forgetting all former occaſions of diſcontent, and applying themſelves wholly to the affair propoſed by the king, they jointly preſented an addreſs to his majeſty, to adviſe him to diſcontinue the treaty, begun with Spain, as well for the reſtitution of the Palatinate as for the marriage. They grounded their advice upon four principal reaſons; the firſt was, that in the beginning of the treaty, the Spaniards inſiſted only upon liberty of conſcience to the infanta and her family, with the free exerciſe of religion. But that afterwards, taking advantage of the prince's being in their power, they importuned a general toleration, contrary to the uſage of other catholic princes in the like treaties. That beſides, the popiſh faction had increaſ-

[1] And d minded his head for ſatisfaction. Ruſhworth, tom. i. p 126.

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ed to such a degree, during the negotiation, that there was no way to suppress them as long as the treaty continued. James I. 1624.

The second reason was, that, during the treaty, the protestant party in Germany was oppressed, and the Palatinate invaded: that the Spaniards had deluded the king, and offered indignity to the prince, by importuning him to change his religion, contrary to the law of hospitality and the privilege of princes.

The third was grounded upon the insincerity of the Spaniards, as well in the former overture of marriage for the late prince Henry as in this; upon the scornful proposition made to the king, of the prince's turning catholic; and upon the deceit used in the treaty of Brussels, the sole end whereof was to cause Heidelberg to be taken.

Lastly, the parliament added as a fourth reason, the translation of the electorate to the duke of Bavaria; the king of Spain's letter to Condé Olivarez, with the Condé's answer, which plainly imported, that the Spaniards never intended to accomplish the marriage; the shift devised by a junto of divines, to send home the prince without the lady.

All these reasons were so many indirect reproaches to the king for suffering himself to be so long amused. But his majesty, feigning not to perceive it, came to the parliament, and made a speech to show he could not break off the treaties, without knowing how to maintain the war which would unavoidably follow, since the Palatinate was to be recovered by arms. He declared therefore, if they thought proper to engage in a war with Spain, he would readily consent the supply to be granted should be managed by commissioners appointed by the parliament. Moreover, he promised the two houses, he would not make peace without their advice. He concluded with saying, "I am so desirous to forget all "rents in former parliaments, that it shall not be my default, "if I am not in love with parliaments, and call them often, "and desire to end my life in that entercourse between me "and my people, for the making of good laws, reforming of "such abuses as I cannot be well informed of but in par-"liament, and maintaining the good government of the "commonwealth."

The king consents to the breach, and demands money. Rushworth, t. i. p. 129. Annals, p. 94.

How different is this speech from those the king made to the former parliament! But the king's thoughts are not so visible in these expressions as the duke of Buckingham's policy, who, after breaking the prince's marriage, had a mind to push his point, and proclaim war with Spain. To succeed, a parliament,

The commons offer the king money. Wilson, p. 782. Rushworth, t. i. p. 135. Annals, p. 97.

James I. 1624. liament must be called, and to gain their affection, the king must talk after this manner.

Some days after, the commons preſented an addreſs to the king, offering to grant him three entire ſubſidies, and three fifteenths, upon his public declaration for diſſolving the treaties of the marriage and the Palatinate. But they took him at his word, concerning his offer that the money ſhould be diſpoſed of by commiſſioners of their own chuſing. The king thanked them for their affectionate expreſſions, and told them, he was reſolved for the future ſolely to confide in his parliament. After which, he diſpatched a meſſenger to the court of Spain, with his laſt reſolution to break off the treaty. But upon notice that a ſharp petition againſt the popiſh recuſants framed by the commons, was going to be preſented to him, he writ the following letter, with his own hand to ſecretary Conway.

Wilſon, p. 780. He has notice of a ſtinging petition againſt the recuſants, and ſtops the courier who is going to Spain. April 3. Wilſon, p. 780. Annals, p. 100. Ruſhworth, t. i. p. 140.

"I Doubt not but you have heard what a ſtinging petition againſt the papiſts the lower-houſe have ſent to the higher-houſe this day, that they may jointly preſent it unto me. You know my firm reſolution, not to make this a war of religion; and ſeeing I would be loth to be conycatched by my people, I pray you ſtay the poſt that is going to Spain, till I meet with my ſon, who will be here to-morrow morning: do it upon pretext of ſome more letters you are to ſend him; and if he ſhould be gone, haſten after him to ſtay him upon ſuch pretext; and let none living know of this, as you love me. And before two in the afternoon to-morrow, you ſhall without fail hear from me. Farewel."

Probably, the king imagined, the parliament in this petition would have demanded things he had no intention to grant: and therefore, for fear of being forced to diſſolve the parliament, he would not haſten the rupture with Spain. But afterwards, being told the petition[k] contained nothing of what he dreaded, he ſuffered the meſſenger to depart. As ſoon as the people knew the breach with Spain was reſolved, the whole city of London ſhone with bonfires, which denoted the public diſlike of the Spaniſh match, and the danger to which religion had been expoſed. It was not yet known, that ano-

The people expreſs great joy at the breach of the marriage. Coke.

[k] The ſtinging petition, which was framed by the commons, and ſent to the lords, was afterwards reduced to another form, and preſented to the king. This which follows here ſeems to be an extract of the firſt before it was reduced, the other being reduced to two petitions. See Wilſon, p. 784.

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ther and no leſs dangerous marriage was now treating in France. James I. 1624.

The petition, preſented to his majeſty by both houſes, contained the ſeven following articles:

" I. That all jeſuits and ſeminary prieſts may be commanded forthwith to depart out of the realm, and not to return or come hither again, upon peril of the ſevereſt penalty of the laws now in force againſt them. The petition of both houſes to the king. Ruſhworth. t. i. p. 141. Wilſon. Annals of James I. p. 100.

" II. That his majeſty would be pleaſed to give charge to the juſtices of the peace, that they take from all popiſh recuſants all ſuch armour, gun-powder and munition of any kind, as any of them have.

" III. That all popiſh recuſants be commanded forthwith to retire themſelves from or about London, to their ſeveral dwellings, or places by the laws appointed, and there to remain confined within five miles of their dwelling places; and for that purpoſe to diſcharge all by-paſt licences granted unto them; and that they preſume not at any time hereafter to repair to London, or within ten miles of London, or to the king's court, or to the prince's court whatſoever.

" IV. That his majeſty would forbid and reſtrain the great reſort of his own ſubjects, for the hearing of maſs, to the houſes of foreign ambaſſadors.

" V. That his majeſty would be pleaſed to diſcharge popiſh recuſants from thoſe places of truſt [as lords lieutenants, juſtices of peace, &c.] by which they have that power in the country where they live, as is not fit to be put into the hands of perſons ſo affected.

" VI. That his majeſty would be pleaſed generally to put the laws in due execution againſt popiſh recuſants; and that all his judges, juſtices, &c. may be commanded to do their duty therein.

" VII. That ſeeing they were happily delivered from that danger which the treaties with Spain would certainly have drawn upon England, his majeſty would be pleaſed to engage his royal word, that upon no occaſion of marriage or treaty, or other requeſt in that behalf from any foreign prince or ſtates whatſoever, he will take off, or ſlacken the execution of the laws againſt popiſh recuſants[1]."

To which petition his majeſty returned this anſwer.

[1] This petition, after it was reduced to another form, and ſo preſented to his majeſty, conſiſted only of two articles, which were much the ſame with the three firſt and the laſt of theſe.

James I. 1624.

"My lords and gentlemen of both houſes,

"I Cannot but commend your zeal in offering this petition to me; yet on the other ſide, I cannot but hold myſelf unfortunate, that I ſhould be thought to need a ſpur to do that which my conſcience and duty binds me unto. What religion I am of, my books do declare, my profeſſion and behaviour doth ſhew; and I hope in God I ſhall never live to be thought otherwiſe; ſurely I ſhall never deſerve it; and for my part, I wiſh it may be written in marble, and remain to poſterity as a mark upon me, when I ſhall ſwerve from my religion; for he that doth diſſemble with God, is not to be truſted with men.

"My lords, for my part I proteſt before God, that my heart hath bled when I have heard of the encreaſe of popery; God is my judge, it hath been ſuch a great grief to me, that it hath been as thorns in my eyes, and pricks in my ſides; and ſo far have I been, and ſhall be from turning another way. And, my lords and gentlemen, you ſhall be my confeſſors, that one way or other it hath been my deſire to hinder the growth of popery; and I could not be an honeſt man if I ſhould have done otherwiſe. And this I may ſay further, that if I be not a martyr, I am ſure I am a confeſſor; and in ſome ſenſe I may be called a martyr, as in the ſcripture Iſaac was perſecuted by Iſhmael by mocking words: for never king ſuffered more ill tongues than I have done, and I am ſure for no cauſe; yet I have been far from perſecution; for I have ever thought that no way more encreaſed any religion than perſecution, according to that ſaying, Sanguis martyrum eſt ſemen eccleſiæ.

"Now, my lords and gentlemen, for your petition, I will not only grant the ſubſtance of what you crave, but add ſomewhat more of my own; for the two treaties being already annulled (as I have declared them to be) it neceſſarily follows of itſelf, that which you deſire, and therefore it needs no more; but that I do declare by proclamation, (which I am ready to do) that all jeſuits and prieſts do depart by a day; but it cannot be as you deſire by our proclamation, to be out of all my dominions; for a proclamation here extends but to this kingdom.

"This I will do and more; I will command all my judges when they go their circuits to keep the ſame courſes, for putting all the laws in execution againſt recuſants, as they were wont to do before theſe treaties; for the laws are ſtill

"in

*The king's anſwer. Ruſhworth, t. i. p. 143. Wilſon. Annals of James I. p. 101.

" in force, and were never diſpenſed with by me: God is my judge, they were never ſo intended by me; but as I told you in the beginning of the parliament, you muſt give me leave, as a good horſeman, ſometimes to uſe the reins, and not always to uſe the ſpurs: ſo now there needs nothing but my declaration for the diſarming of them; that is ready done by the laws, and ſhall be done as you deſired: and more, I will take order for the ſhameful diſorder of the reſorting of my ſubjects to all foreign ambaſſadors; for this I will adviſe with my council how it may be beſt reformed. It is true, that the houſes of ambaſſadors are privileged places; and though they cannot take them out of their houſes, yet the lord mayor, and Mr. Recorder of London, may take ſome of them as they come from thence, and make them examples. Another point I will add concerning the education of their children, of which I have had a principal care, as the lord of Canterbury, and the biſhop of Wincheſter, and other lords of my council can bear me witneſs, with whom I have adviſed about this buſineſs; for in good faith it is a ſhame, their children ſhould be bred here as if they were at Rome. So I do grant not only your deſire, but more. I am ſorry I was not the firſt mover of it to you, but had you not done it, I would have done it myſelf. James I. 1624.

" Now for the ſecond part of your petition, you have here given me the beſt advice in the world; for it is againſt the rule of wiſdom, that a king ſhould ſuffer any of his ſubjects to tranſgreſs the laws, by the interceſſion of other princes; and therefore aſſure yourſelves, that (by the grace of God) I will be careful that no ſuch conditions be foiſted in upon any other treaty whatſoever; for it is fit my ſubjects ſhould ſtand and fall to their own laws."

What a happy harmony is here between the king and his parliament! Nothing can be more affable, more obliging than this anſwer, and the free and eaſy manner wherewith he came into the meaſures of the two houſes. To render their happineſs complete, nothing was wanting but the performance of the king's promiſes, which, how carefully he obſerved, will preſently appear.

The king had artfully avoided to anſwer the two principal articles of the petition, namely, the IIId and Vth, where the parliament required, that all papiſts ſhould be removed from London and the court, and diſcharged from all places of truſt. Had he conſented to theſe two requeſts, the face of

The parliament preſents to the king a liſt of the papiſts in poſts.

Wilſon. the p. 785.

James I. 1624. the court would have been entirely changed. The duke of Buckingham's mother, who, by her ſon's means, diſpoſed of all the offices, muſt have been removed. His ducheſs would alſo have been of the number, as well as one of the ſecretaries of ſtate, with many others who had conſiderable places at court, and in the country [m]. The king's ſilence on this head, cauſed the parliament to draw a liſt of fifty-ſeven popiſh lords and knights, who were in public offices, and preſent it to the king. But it does not appear that he took much notice of it. As it nearly concerned the duke of Buckingham, very probably he hindered the king from giving the parliament any ſatisfaction in this point, and the houſes did not much inſiſt upon it, that they might not too openly offend a lord, whoſe credit was ſo great both with the king and the prince.

The Spaniſh ambaſſador privately informs againſt Buckingham to the king. Coke, p. 154 Ruſhworth, t. i. p. 144.

But though no Engliſhman dared to attack the favorite directly, a foreigner however undertook to ruin him in the king's favour, namely, the marquiſs of Inoioſa the Spaniſh ambaſſador, who being enraged at the unworthy manner of the duke's breaking off the marriage, burned with deſire to revenge the king his maſter and the infanta. One day, as the king had few about him, he took an opportunity to give him a paper, with a wink to conceal it. The king put it into his pocket, and withdrew to his cloſet to read it. He was greatly ſurprized to ſee the following particulars.

Coke, p. 154 Ruſhworth, t. i. p. 144. Hacket, p. 195. Cabala. p. 300.

"I. That he was kept from all faithful ſervants, that would "inform him, by the miniſters of the prince and duke, and "was a priſoner as much as king John of France in England, or king Francis at Madrid, and could not be ſpoken "with, but before ſuch as watched him.

"II. That there was a ſtrong and violent machination in "hand, which had turned the prince, a moſt obedient ſon, "to a quite contrary courſe to his majeſty's intentions.

"III. That the counſel began laſt ſummer at Madrid, but "was lately reſolved on in England, to reſtrain his majeſty "from the exerciſe of the government of his kingdoms; and "that the prince and duke had deſigned ſuch commiſſioners "under themſelves, as ſhould intend great affairs, and the "public good.

[m] This obſervation is built upon our author's miſtake, in imagining the petition containing the ſeven articles, was preſented to the king; whereas it was new modelled, and the IIId and Vth articles left out. So it is no wonder the king ſhould not take notice of them in his ſpeech. The petition, as it was preſented to the king, is to be ſeen in Wilſon, p. 784.

"IV. That

" IV. That it ſhould be effected by beginning of a war, James I.
" and keeping ſome companies of foot in this land, whereby 1624.
" to conſtrain his majeſty to yield to any thing, chiefly be-
" ing brought into ſtraits for want of monies to pay the
" ſoldiers.

" V. That the prince and duke's encloſing his majeſty
" from the ſaid ambaſſadors, and others of his own loyal peo-
" ple, that they might not come near him in private, did ar-
" gue in them a fear and diſtruſt of a good conſcience.

" VI. That the emiſſaries of the duke had brought his
" majeſty into contempt with the potent men of this realm,
" traducing him for ſlothful and unactive, for addiction to
" an inglorious peace, while the inheritance of his daughter
" and her children is in the hands of his foes; and this ap-
" peared by a letter which the duke had writ into Holland,
" and they had intercepted.

" VII. That his majeſty's honour, nay, his crown and
" ſafety, did depend upon a ſudden diſſolution of the par-
" liament.

" VIII. They loaded the duke with ſundry miſdemeanors
" in Spain, and his violent oppoſition to the match.

" IX. That the duke had divulged the king's ſecrets, and
" the cloſe deſigns between his majeſty and their maſter king
" Philip, about the ſtates of Holland, and their provinces,
" and laboured to put his majeſty out of the good opinion of
" the Hollanders.

" X. That the duke was guilty of moſt corrupt dealing
" with the ambaſſadors of divers princes.

" XI. That all theſe things were carried on in the parlia-
" ment with an head-ſtrong violence, and that the duke was
" the cauſe of it, who courted them only that were of trou-
" bled humours.

" XII. That ſuch bitterneſs and ignominies were vented
" in parliament againſt the king of Spain, as were againſt
" all good manners and honour of the Engliſh nation.

XIII. That the Puritans (of whom the duke was head)
" did wiſh they could bring it about, that the ſucceſſion of
" the kingdom might come to the prince Palatine and his
" children, in right of the lady Elizabeth."

In a poſtſcript, the paper prayed the king, That the ſecre-
tary to the marquis Inoioſa, might be brought to the king,
when the prince and the duke were ſitting in the lords houſe,
to ſatisfy ſuch doubts as the king might raiſe.

The

James I. 1624.

The king talked with the ſecretary, and diſcourſed likewiſe in private with Padre Maeſtro, a Spaniſh jeſuit. It is not known what theſe men told him [n]; but the king was perceived, after theſe converſations, to grow very melancholy, and his temper to be entirely altered. He affected, in ſpeaking to the prince and duke, to uſe broken and myſterious expreſſions, which ſhowed that ſomething lay heavy upon his mind [o]. At laſt, the king going one day to Windſor, and taking coach at St. James's, ordered the duke [p], on ſome ſlight pretence, to ſtay behind. Then the duke no longer doubting his diſgrace, beſought him for God's ſake, to tell him what was laid to his charge. The king only anſwered, he was the unhappieſt man alive, to be forſaken of thoſe who were moſt dear to him [q], and taking the prince his ſon with him, left Buckingham at London. The duke retired to his own houſe, overwhelmed with grief, and thinking himſelf irrecoverably ruined. But by the advice of the lord-keeper Williams, he went immediately to Windſor, where he found means to remove the king's ſuſpicions. At leaſt, the king feigned to be cured of them. But the earl of Clarendon confirms in his hiſtory, what is aſſured by others, that the duke had entirely loſt the king's favour. Mean while, James was naturally ſo timorous, that, inſtead of freeing himſelf from a favorite, whom he might eaſily have diſcarded, he gave himſelf up more to him, ſo apprehenſive was he of his union with the prince. He impatiently expected the earl of Briſtol's arrival, to uſe his advice; but means were found to prevent him from declaring his mind to him, and even of ſpeaking to him.

The king entertains ſtrong ſuſpicions againſt the prince and duke.

The duke is upon the point of being diſcarded Hacket, p. 196. Wilſon. Coke. Weldon, p. 153, 154.

He gets off. Hacket. Coke.

Before the parliament broke up, the king received a freſh mortification from the prince and duke. Whilſt they were in Spain, Lionel Cranfield, lord-treaſurer, lately created earl of Middleſex, having the courage to refuſe them ſometimes the

The prince and duke cauſe the treaſurer to be condemned in ſpite of the king.

[n] Weldon ſays, Maeſtro had learned under confeſſion, that the king was by Buckingham, or his procurement, to be killed, but whether by poiſon, piſtol, or dagger, he could not tell, p. 152. Whereupon the king told Buckingham at the next interview, "Ah "Steiny, Steiny, wilt thou kill me?" The duke, aſtoniſhed at this expreſſion, endeavoured with the ſtrongeſt proteſtations, to juſtify his integrity, which the king readily believed. Wilſon, p. 783.

[o] The king required of them particular proofs; but all their anſwers conſiſted of arguments againſt declaring the names of the conſpirators; whereupon the king's privy-council, and others of the principal men of the nation, were examined upon oath; but nothing was diſcovered. Ruſhworth, tom. i. p. 144.

[p] As he was putting his foot in the coach, which drew tears from him. See Hacket, p. 196.

[q] This the king uttered with tears in his eyes, which was received in the ſame manner by the prince and duke. Hacket, p. 197.

exor-

exorbitant ſums they demanded, they reſolved to ruin him at their return. They made uſe for that purpoſe of their credit with the parliament, and cauſed him to be accuſed by their creatures, of miſmanagement in the diſcharge of his office. The king knowing this came from them, deſired them for God's ſake, to uſe their intereſt with the two houſes to drop the impeachment; but they remained inflexible and unmoved at the king's intreaties. So the lord-treaſurer was condemned in a fine of fifty thouſand pounds, and declared incapable of ever ſitting in the houſe of peers. All the hiſtorians agree, he did not deſerve ſo rigorous a treatment. But the duke, who had raiſed him from the duſt, had a mind to ſhow he was powerful enough to reduce him to his primitive ſtate, for an example to all who ſhould dare to reſiſt him. After this, it muſt not be thought ſtrange, if the king, when he ſpoke to this parliament, appeared ſo different from what he was with reſpect to the two former. Not that he had changed his ſentiments and maxims, but he durſt not do any thing without the direction of the prince and the duke, who had formed projects to which a parliament was neceſſary. The earl of Clarendon affirms, the king was extremely ſurprized in the beginning of this parliament, when he was informed of the contents of the duke of Buckingham's narration, concerning the treaty of marriage: a narration, ſays that famous hiſtorian, which, for the moſt part, the king knew to be untrue. Mean while, he had the weakneſs, as I ſaid, to atteſt the truth of it, and to aſſure, the duke had ſaid the ſame things to him. There cannot be a clearer evidence of his ſubjection to the prince and favourite.

James I. 1624.

Wilſon, p. 787. Clarendon, t. i. p. 19, 20. Weldon. p. 142, 166. Howes. Coke. Weldon.

The king is kept under by the prince and duke.

t. i. p. 19. fol. edit.

Here is alſo another remarkable proof of the king's weakneſs or fears. He ſaw no remedy but in the earl of Briſtol's counſels, whoſe return he impatiently expected. And yet, no ſooner was the earl arrived in England, but the king was conſtrained to ſend him expreſs orders at Dover, not to come to court, but remain at his own houſe till he had anſwered certain queſtions, which ſhould be put to him by ſome of the council. The parliament being prorogued ſhortly after, the earl frequently writ to the king, to deſire he might be examined. The king wiſhed it; but it was not the prince's or Buckingham's intereſt, who ſtill found freſh excuſes to defer the examination. The earl was however examined at laſt, after much ſollicitation, and returned ſuch anſwers, that his examiners could not help declaring, his conduct was unblameable. But this could not procure him his liberty or admittance into the king's preſence. Some time after, the duke

He is forced to turn the earl of Briſtol out of favour. Clarendon, t. i. p. 20. Wilſon.

May 29.

The earl of Briſtol's defence. Ruſhworth, t. i. p. 257, &c.

ſent

James I. 1624.

sent him word, he was much mistaken, if he imagined his answers were satisfactory to the king, the prince, or to him the duke; but his only way to come into favour again, was to make the confession he had sent him. The earl refused it, and the king told Buckingham, it was horrible tyranny to make an innocent person confess faults, of which he was not guilty. Notwithstanding all this, it was not in his power to speak with the earl, because the prince and duke did not think it proper.

The king sends six thousand men into Holland. Wilson, p. 787. Rushworth, t. i. p. 151. Annals, p. 103.

The parliament being prorogued [r], it was necessary to think of the war. The aid granted the king was very considerable [s]. It was computed that with this money he might send twenty-five thousand men into the Palatinate, under the command of an English general. But the court had already taken other measures. Six thousand men only were sent into Holland [t], to serve in the army of the states, under the command of the prince of Orange, and other troops were levied for count Mansfeldt, who was during the winter to open himself a passage into the Palatinate.

Treaty of the prince's marriage with Henrietta of France. Act. Pub. xvii. 600. Wilson, p. 786. Du Chesne. Coke.

Mean while, Henry Rich, earl of Holland, who had been dispatched into France, having sent word that Lewis XIII. was inclined to listen to the overture of a marriage between the prince of Wales and his sister the princess Henrietta Maria, the king appointed James Hay earl of Carlisle, to negotiate the affair jointly with him. The two ambassadors repairing to Compiegne, where the court of France was, commissioners were nominated to treat with them, of whom the marquis de la Vieuville super-intendant of the finances was the first. The conferences began a few days after the prorogation of the parliament, when the king, according to his

The king executes the laws against recusants. Act. Pub. xvii. 598.

promise,

[r] It was prorogued on May 29. to November 2. Journ. Parl.

[s] It was three entire subsidies, and three fifteenths and tenths from the laity; and four entire subsidies from the clergy. Of the laity's aid, eight citizens of London were appointed to be treasurers, and ten other persons to be of his majesty's council for the war; without whose warrant no money was to be issued out by the treasurers, nor upon any other account, but for the war: And both were to be accountable to the commons in parliament. See Rotuli Parl. and Statut. 21 Jac. c. 34. ——The acts made in this parliament were these. 1. One concerning monopolies, and dispensations with penal laws, and the forfeitures thereof. 2. For the better repressing of drunkenness, and inordinate haunting of inns, alehouses, &c. 3. That not above 8l. per cent. interest shall be given for money. 4. For the relief of creditors against bankrupts. 5. That prophane swearers and cursers shall pay twelve-pence for every oath, to the use of the poor. 6. For making the river Thames navigable as far as Oxford. The rest being too long to be inserted here, may be seen in the Statute-Book.

[t] Their commanders were, Henry de Vere earl of Oxford, Henry Wriothesly earl of Southampton, Robert Devreux earl of Essex, and Robert Bertie lord Willoughby. Wilson, p. 787.

promiſe, was putting the laws in execution againſt popiſh recuſants, particularly againſt friers and prieſts, ſome of whom were thrown into priſon. James I. 1624.

This ſeverity cauſed the catholics to exclaim, who expected a very different treatment a few months before. They could not forbear complaining, that whereas the negotiation of the Spaniſh match had procured them great eaſe, this with France ſeemed on the contrary to ſerve only to increaſe their miſeries. Several writ to France in that ſtrain, intimating they had nothing to truſt to but the piety, zeal, and protection of Lewis. Among others, a Scotch Franciſcan wrote upon the ſubject to Hugo archbiſhop of Ambrun, who had been general of the order, and to whom he was known. The archbiſhop ſhowed the letter to the king, and aggravated the ſufferings of the Engliſh catholics, who expected relief only from his interceſſion. The king of France had already done his utmoſt to pacify the Engliſh catholics, aſſuring them by Tilliers his ambaſſador at London, that he would not forget them. But their repeated complaints obliged him at length to take ſome ſtep in their favour, and the rather, as he was afraid, they would obſtruct the pope's diſpenſation, which would ſoon be wanted. He reſolved therefore to ſend to James a ſecret agent to intercede for the catholics, and choſe for that purpoſe the archbiſhop of Ambrun, who came to London in diſguiſe, and paſſed for a counſellor of the parliament of Grenoble. At his arrival, he waited upon Buckingham, who ſeemed very much inclined to countenance his negotiation. The counteſs of Buckingham the duke's mother, the earl of Rutland, and ſome other catholics, did the archbiſhop great ſervices, and acquainted him with many things neceſſary to be known, in order to ſucceed in his deſigns. The king being informed that the archbiſhop deſired to ſpeak with him, ſent for him to Royſton, where he then was, confined to his bed with the gout. The archbiſhop's firſt conference with the king was followed by the releaſe of ſeveral popiſh recuſants, impriſoned ſince the parliament's petition. Moreover, the king gave the archbiſhop leave to adminiſter confirmation in the French ambaſſador's houſe, to all that ſhould apply for it. This was done in ſo public a manner, that not only the houſe, but the ſtreet itſelf, was crowded with people. If the archbiſhop's own narrative may be credited, he confirmed above ten thouſand perſons, which ſeems to me a little exaggerated. However, the number muſt have been great, ſince the magiſtrates of London complained of it to the king, who owned it was done with his leave. And yet he had very lately told

They complain to the king.

Lewis ſends the archbiſhop of Ambrun to James. Deageant's Mem.

James receives him graciouſly.

James I. 1624. told the parliament, it was a ſhame to ſuffer ſuch crowds of papiſts at ambaſſadors houſes.

From that time, the king had ſeveral conferences with this prelate, and one day as he was expreſſing his earneſt deſire to live in ſtrict union with the king of France, the archbiſhop took occaſion to tell him, that one of the beſt means to that end, was to grant a full toleration to the catholics. Whereupon the king ſqueezing him by the hand, ſaid theſe words to him: "I perceive you are the man ſent me from God, "to whom I may freely open my mind." Adding, "He "had always a good opinion of the catholic religion, and for "it had often been in danger of aſſaſſination during his mi- "nority: He intended to grant a full toleration to the ca- "tholics; and in order to ſucceed, meant to cauſe an aſ- "ſembly of divines, as well foreign as Engliſh, to be held, "and therein to be decided, that it was neceſſary to grant "an univerſal liberty of conſcience; and he had already caſt "his eyes on the Engliſh divines to be ſent thither: If the "aſſembly could not be held at Dover, he would agree it "ſhould be at Boulogne, as ſoon as his ſon's marriage ſe- "cured him the aſſiſtance of France: He thought proper "that the archbiſhop ſhould now return to France, under "colour of waiting on the princeſs, and he would ſend him "two letters under his own hand, one for the pope, the other "for the king of France, wherein his project ſhould be more "fully explained: He would alſo give him a memorial on "the ſame ſubject, that being armed with theſe two papers, "he might go and negotiate at Rome with the pope, for "whom he had a very great reſpect, being obliged to him "for a copy of verſes he had formerly, when cardinal, made "upon the queen his mother and the houſe of Stewart." At the ſame time he ſhowed the verſes to the archbiſhop, and then ſaid, "If he returned from Rome with the pope's ap- "probation, concerning the aſſembly, it ſhould be immedi- "ately held, and he did not queſtion, it would be very ad- "vantagious to the catholic religion. In the mean time, he "intended to negotiate with the proteſtant princes of Ger- "many, and endeavour to gain ſome of the chief puritan "lords in England and Scotland."

Conferences between the king and the archbiſhop of Ambrun. Deageant's Mem. Welwood. Notes on Wilſon, p. 786.

On ſuppoſition of the truth of this extract from the archbiſhop of Ambrun's narrative, at the end of Deageant's Memoirs, all that can be inferred from it is, that James had formed a chimerical project of a mutual toleration throughout Chriſtendom, and thought himſelf qualified to effect it, with the

the assistance of France. But Deageant says something more. He affirms, James writ a letter to the pope, and sent it by an English Roman catholic gentleman. In this letter, according to that author, "he owns the pope for Christ's vicar upon earth, and head of the church universal. He assures him, he intends to declare himself a catholic, as soon as he has provided against some inconveniences which he foresees his declaration may cause. He promises, the priests shall not be disturbed who are sent into England by his holiness or the king of France, unless they are jesuits. Moreover, desires the pope not to think of causing to be restored to the church, the abbey-lands granted or sold to the principal families in the kingdom, for fear of ruining the whole project. He says farther, nothing hinders him from openly professing the catholic religion, but his hopes of gaining first his brother-in-law the king of Denmark, to whom he had sent to desire him, on some other pretence to come to England. And when they two shall be closely united in the same design, he does not doubt but they shall prevail upon most of the other protestant princes." James I. 1624. The king's engagement according to Deageant.

Deageant assures, no body knew of this letter but Buckingham and the bearer: however he does not say how he himself came to know the contents. To speak the truth, I can hardly believe, James really intended to declare himself a catholic; or if he did intend it, would write such a letter to the pope, in his present circumstances. In short, I think it very unlikely this letter should fall into Deageant's hands. So, I suspect, this author's relation was only communicated to him by some English catholic, on whose testimony whether we may rely, cannot be known.

The archbishop of Ambrun's narrative is much more probable; first, because that prelate relates only what he had himself from the king's own mouth: Secondly, because he says nothing but what is agreeable to that prince's conduct through the whole course of his life. His religious notions were very particular, and not embraced by the protestants. He believed that difference of opinion, with respect to the doctrines of transubstantiation, invocation of saints, and the other tenets which distinguished the two religions, and were by him considered as school-questions, was not sufficient to justify a schism. Consequently the Roman and protestant churches were one and the same church, from whence he inferred, it was incumbent upon all christians mutually to support one another, and live like brethren. It followed equally from this principle, that the protestants ought not to perse- Remark on this subject.

James I. 1624.

cute or moleſt the catholics, nor the catholics the proteſtants. He obſerved this rule himſelf very punctually, but without any juſt foundation that the catholic princes would follow the ſame maxim. So the ſcheme of an univerſal toleration, which he meant to eſtabliſh among all chriſtians, was properly but a chimera, ſince he had not ſufficient authority to make all the world come into his meaſures. Mean while, as his maxims obliged him to look upon the catholics with a different eye from what other proteſtants did, it is no wonder that he paſſed, with the proteſtants and the papiſts themſelves, for a prince well-affected to the catholic religion. And indeed, ſo far was he from having any averſion to that religion, that he conſidered the church of Rome as the mother-church, from whence the proteſtant-church was ſprung, and doubtleſs, had it been in his power to unite them, he would have given the preference to the firſt, leaving every one free to believe what he pleaſed concerning the doctrines. There was but one thing that embaraſſed him, namely, the exorbitant power aſcribed to the pope, and the damnable maxim of the lawfulneſs of murdering kings on account of religion. To free himſelf from this embaraſſment, he endeavoured to deceive himſelf, by imagining, there were but very few catholics who were poſſeſſed with the pope's unlimited power, and that the king-killing doctrine was peculiar to the jeſuits. On the other hand, puritaniſm in the proteſtant religion was ſo odious to him, that, probably, he would, if he could, have excluded the puritans from the general toleration he was willing to grant to all other chriſtians. King James had the misfortune to govern himſelf by general maxims, without conſidering, ſuch maxims could not be always adapted to particular caſes. His notions concerning religion were of the ſame nature with his opinions about monarchy, the general principles whereof he applied to the government of England, contrary to the particular conſtitution of that kingdom.

The treaty of the prince's marriage is carried on in France.

Whilſt the archbiſhop of Ambrun was in England, the negotiation of the marriage was continued in France, between the Engliſh ambaſſadors and the French commiſſioners. The Engliſh propoſed at firſt the continuation of the treaty, formerly begun for prince Henry's marriage with the princeſs Chriſtina, who eſpouſed the duke of Savoy. But this motion was rejected by the French commiſſioners; firſt, becauſe that negotiation was properly but juſt ſet on foot; ſecondly, becauſe France would not be contented with leſs than was offered by the king of England, for the prince of Wales's marriage with the infanta of Spain. So the French commiſſioners

missioners demanded in their turn, that the articles concerning religion granted to Spain, should serve for foundation to the present treaty. The ambassadors expected this demand, and by their private instructions knew how to proceed, but pretended, they could not grant what was demanded, without fresh orders. They sent therefore a courier to London, but the court of France knew it was not upon that account, so they were pressed the more earnestly to declare what they would grant with respect to religion. At last, after some sollicitation, they offered the articles agreed upon with Spain, except four, namely, liberty of conscience to the catholics; a church in London; the education of the children by the queen till ten years old; a bishop with ecclesiastical authority over the princess's family. These four articles were much debated, and at length, the ambassadors yielded the two last. But for the two first, they said, they could not absolutely grant them, because of the king's solemn promise to the parliament. This reason appeared so strong to the French commissioners, that they thought it fruitless to insist any more upon these two articles. The portion was settled without much trouble. The king of France offered eight hundred thousand crowns, on condition the prince assigned a jointure of sixty thousand crowns a year; which offer with the condition was accepted. So, in all appearance, the affair was to be ended in a very short space, but two things retarded the conclusion. James I. 1624.

In the first place, the pope did not approve of the marriage, because, hearing that the English ambassadors had proposed a league to the king of France, he was afraid, the design of it might be to dispossess the duke of Bavaria of the Palatinate and electoral dignity. For which reason he endeavoured at first to dissuade Lewis XIII. from giving his sister to an heretical prince. But finding Lewis did not much regard his arguments, he declared he would not grant a dispensation, unless the marriage was made upon the same terms as were granted to Spain. Whereupon the king of France resolved to send father Berulle, general of the fathers of the oratory, to sollicit the dispensation. His instructions, signed the 31st of July, imported among other things, "that by the articles "already agreed on, the princess, as well as all her domes- "tics, were very secure as to religion: she had a bishop, "with twenty-eight priests or monks; and a chapel in every "place where she shall reside: she was to educate her chil- "dren till the age of thirteen years, whereas in the Spanish "articles, the time was fixed to ten years. In fine, she was

Note. p. 171.

292
James I.
1624.

"well inſtructed and very firm in the faith: and inſtead of "having any thing to fear for her, it was to be hoped, con- "ſidering how well inclined the king of England was to be "a catholic, ſhe would convert him as well as the prince "her ſpouſe, after the example of Bertha of France, who "made a convert of king Ethelbert."

Life of cardinal Richelieu, p. 14.

The marquiſs de la Vieuville's diſgrace, which happened at this time, was the other cauſe of the delay of this affair, and ſtopped father Berulle, who was about to depart. Cardinal Richelieu, who was commiſſioned to treat with the Engliſh ambaſſadors, in the room of the diſgraced ſuperintendent, pretended, that la Vieuville had acted without orders, or at leaſt, without the approbation of the king or council. James, being informed of this new obſtacle, believed, the court of France uſed this pretence to break off the treaty, and made great complaints to the marquiſs d'Effiat, who was lately come to his court in the place of Villiers. But cardinal Richelieu was far from breaking off a negotiation ſo advantagious to France upon many accounts. So, contenting himſelf with diſparaging la Vieuville by this accuſation, he renewed the treaty.

The late change in the miniſtry inſpired the nuntio with freſh hopes. He repreſented to the cardinal, that his own and the pope's honour obliged him not to abate any thing of the Spaniſh articles, and that aſſuredly the diſpenſation would not be granted upon any other terms. The cardinal told him, the king of England and prince of Wales had complied with whatever they really intended to grant the king of Spain, though not with what was extorted from them, whilſt the prince was a priſoner at Madrid, and what was not in their power. Moreover, he intimated to him, that there was no abſolute occaſion for a diſpenſation; and though it was deſired, it was not ſo much out of neceſſity as reſpect for the pope's perſon. So, father Berulle departed with his inſtructions, notwithſtanding the nuntio's oppoſition.

If the court of France had ſhown leſs reſolution, this affair would never have been accompliſhed. The pope's behaviour on this occaſion plainly ſhowed, he only wanted a pretence to refuſe the diſpenſation, or at leaſt, to delay it as long as poſſible. He retarded the affair by laying it before a congregation, where freſh difficulties were continually ſtarted. They were not ſatisfied that the king of England and the prince of Wales ſhould ſwear to the articles; they would have alſo the king of France to be guarantee, like the king of Spain, and Lewis was forced at laſt to promiſe it. They inſiſted particularly

gularly upon demanding a public church in London for the catholics, though they were told, it was not in the king of England's power to perform ſuch an article, if it was granted. In a word, there was no delay, no artifice, but what was practiſed by the pope to gain time, till at laſt the French ambaſſador had orders to declare, if the diſpenſation was much longer deferred, the affair might be tranſacted without it. This menace making the pope apprehenſive that he might very unſeaſonably expoſe his authority, he promiſed the diſpenſation, after a tedious ſollicitation which would have held longer, had it been the court of France's intereſt to prolong it. But cardinal Richelieu was afraid, a farther delay would bring with it alterations that might cauſe a breach of the marriage, as happened in Spain: ſo the treaty was ſigned at Paris the 10th of November. It contained thirty public, with three ſecret, articles, wherein much the ſame advantages were ſtipulated for the catholics, as in thoſe of Madrid. The articles of the treaty were, James I. 1624.

I. His moſt chriſtian majeſty, to diſcharge what his dignity and piety oblige him to, and that he may treat of this marriage with a ſafe conſcience, undertakes to procure the pope's diſpenſation, within two months at fartheſt. Articles of the marriage. Du Cheſne. p. 1182. Act. Pub. xvii. p. 673, &c.

II. The articles and conditions of the marriage being ſigned, the king of Great-Britain ſhall appoint ſuch perſons of quality as he ſhall think proper, to eſpouſe madame in the prince his ſon's name, according to the uſual form in the Roman catholic-apoſtolic-church.

III. The nuptials ſhall be celebrated in France, after the manner obſerved in the marriage of the late king with queen Margaret, and in that of the ducheſs of Bar.

IV. After the celebration of the marriage, madame ſhall be conducted at his moſt chriſtian majeſty's charge, as far as Calais, where ſhe ſhall be delivered to the perſon commiſſioned by the king of Great-Britain to receive her.

V. From Calais to England, her expences ſhall be born by the king of Great-Britain, and every thing ſhall be done on both ſides, as is ſuitable to a princeſs of the royal family of France, joined in marriage to the heir of Great-Britain.

VI. The marriage being celebrated in France, and madame arrived in England, a day ſhall be fixed, on which the king of Great-Britain, the prince his ſon, and madame his wife being in ſome convenient room of the palace, dreſſed in their royal robes, the contract and authentic inſtrument of the celebration of the marriage ſhall be publicly read, together with the procurations, by virtue whereof the marriage was celebrated.

James I. 1624. lebrated. Which done, the ſaid contract ſhall be ratified anew by the king and the prince his ſon, in the preſence of ſuch as the moſt chriſtian king ſhall commiſſion to that end, and of the lords of Great-Britain who ſhall be preſent on this occaſion, without the intervention of any church-ceremony.

VII. The free exerciſe of the Roman catholic-apoſtolic-religion ſhall be granted to madame, as likewiſe to all the children that ſhall be born of this marriage.

VIII. To that end, madame ſhall have a chapel in all the royal palaces, and in every place of the king of Great-Britain's dominions where ſhe ſhall be or reſide.

IX. The ſaid chapel ſhall be beautified with decent ornaments, and the care and cuſtody thereof ſhall be committed to ſuch as madame ſhall appoint. The preaching of God's word, and the adminiſtration of the ſacraments ſhall be entirely free, and the maſs, and the other parts of divine ſervice, ſhall be celebrated according to the cuſtom of the holy Roman church, with all jubilees and indulgences which madame ſhall procure from Rome. There ſhall be alſo a church-yard allowed in the city of London, where, according to the cuſtom of the Roman church, ſuch of madame's attendants ſhall be buried, as ſhall happen to die, which ſhall be done in a modeſt manner. The ſaid church-yard ſhall be encloſed, that it may not be profaned.

X. Madame ſhall have a biſhop for her almoner, who ſhall have all neceſſary authority and juriſdiction in all things belonging to religion, and ſhall have power to proceed according to the canons againſt ſuch as ſhall be under his charge. And in caſe the civil-court ſhall lay hold on any the ſaid eccleſiaſtics, for ſome ſtate-crime, and information be made againſt him, he ſhall be ſent to the ſaid biſhop, with the informations and proceedings, and the ſaid biſhop, after degrading him, ſhall put him again into the hands of the ſecular court. For any other crimes the civil-court ſhall ſend back the ſaid eccleſiaſtic to the biſhop, who ſhall proceed againſt him according to the canons. And in caſe of abſence or ſickneſs, the biſhop's vicar ſhall have the ſame authority.

XI. Madame ſhall have in her houſe twenty-eight prieſts or eccleſiaſtics, almoners and chaplains included, to ſerve in her chapel, and if there are any regulars, they ſhall wear the habit of their order.

XII. The king and prince ſhall oblige themſelves by oath not to attempt by any means whatever to perſuade madame to change her religion, or to engage her in any thing repugnant to it.

XIII. Ma-

XIII. Madame's houſhold ſhall be ſettled with as much dignity, and conſiſt of as many officers as any princeſs of Wales ever had, and in the ſame manner as was agreed upon for the marriage of the moſt ſerene prince with the infanta of Spain. James I. 1624.

XIV. All the domeſtics madame ſhall bring into England ſhall be French catholics, choſen by the moſt chriſtian king; and in the room of thoſe that ſhall die, ſhe ſhall take other French catholics, with the conſent however of the king of Great-Britain.

XV. Madame's domeſtics ſhall take the following oath to the king, prince and madame:

"I promiſe and ſwear to be faithful to the king of Great-Britain, to the moſt ſerene prince Charles, and to madame Henrietta-Maria daughter of France, and to keep truly and inviolably this my promiſe. And if I know of any thing to be attempted againſt the perſons of the ſaid king, prince, and madame, or againſt the ſtate, or public good of the ſaid king's realms, I will diſcover the ſame to the ſaid king, prince, and madame, or to thoſe who ſhall have charge thereof."

XVI. Madame's portion ſhall be eight hundred thouſand French crowns, one half to be paid in London by his moſt chriſtian majeſty on the day before the eſpouſals, and the other half within a year after the firſt payment.

XVII. If the prince die before madame, without iſſue, the whole portion ſhall be reſtored to madame, to be diſpoſed of as ſhe pleaſes, whether ſhe ſtays in England, or returns to France; in which laſt caſe, it ſhall be in her power to bring the money with her.

XVIII. But in caſe there are children, only two thirds of the portion ſhall be reſtored, the other third remaining for the children, whether madame goes back to France, or ſtays in England: but in this caſe, ſhe ſhall be paid the intereſt at five per cent.

XIX. The children which ſhall be born of this marriage, ſhall be brought up by madame their mother, till the age of thirteen years.

XX. The children ſhall inherit alſo the two thirds reſtored to their mother, unleſs ſhe marries again: and then, the children of the ſecond bed, ſhall have an equal ſhare with thoſe of the firſt.

XXI. If madame die firſt without children, his moſt chriſtian majeſty grants, that in ſuch caſe, only half of the portion

James I. 1624. tion ſhall be paid back to him, but if there are children, the whole ſhall go to them.

XXII. Madame's jointure ſhall be ſixty thouſand French crowns, which ſhall be aſſigned her by the king of Great-Britain.

XXIII. The king of Great-Britain ſhall preſent madame on account of the marriage, with fifty thouſand crowns worth of jewels and diamonds, which ſhall be madame's own property, as well as thoſe ſhe has now, or which ſhall be given her hereafter.

XXIV. The king of Great-Britain ſhall be obliged to maintain madame and her houſhold; and in caſe ſhe becomes a widow, ſhe ſhall enjoy her portion and jointure with all other things to her granted.

XXV. In caſe the prince die firſt without iſſue, madame ſhall freely enjoy, where-ever ſhe pleaſes to live, her jointure, which ſhall be aſſigned her in lands, caſtles or houſes, whereof one ſhall be fit for her to reſide in, and furniſhed ſuitably to a princeſs of her quality.

XXVI. Madame ſhall have the free diſpoſal of the offices and benefices of the ſaid lands, part of which ſhall bear the title of duchy or earldom.

XXVII. Madame ſhall be at liberty, whether ſhe have children or not, to return to France with her houſhold-goods, jewels, diamonds, and portion, as ſpecified in the articles above. And in this caſe, the king of England ſhall be obliged to conduct her at his charge to Calais, in a manner ſuitable to her quality.

XXVIII. Madame ſhall renounce all paternal, maternal, and collateral inheritance as to the lands of the royal domain ſubject to reverſion, by appennage or otherwiſe.

XXIX. The contract of marriage ſhall be enrolled in the court of the parliament at Paris, and ratified by the parliament of England, and regiſtred in the uſual courts. And the ſaid king and prince ſhall promiſe not to act contrary to any clauſe or condition of the ſame.

XXX. Moreover, it is agreed, that he of the two kings which ſhall refuſe to accompliſh the preſent treaty, ſhall be obliged to pay the other the ſum of four hundred thouſand crowns, as a penalty for the ſaid refuſal.

Private or Secret Articles.

1. That the catholics, as well eccleſiaſtics as temporals, imriſoned ſince the laſt proclamation, which followed the breach with Spain, ſhould all be ſet at liberty.

Rushworth, t. i. p. 169.

2. That

2. That the Engliſh catholics ſhould be no more ſearched after, nor moleſted for their religion. James I. 1624.

3. That the goods of the catholics, as well eccleſiaſtical as temporal, that were ſeized ſince the fore mentioned proclamation, ſhould be reſtored to them.

In this, as well as the Madrid treaty, we ſee the great care of the French and Spaniſh courts for the intereſt of the catholic religion, and the little zeal of king James, the prince, and the duke of Buckingham for the proteſtant. The XIXth article concerning the education of the children, was of very ill conſequence to England. It almoſt proved the ruin of church and ſtate. Id. p. 152.

If it is aſked what could induce the king to purchaſe this marriage with ſuch hard terms to the religion profeſſed by himſelf, and almoſt the whole kingdom, there can be, in my opinion, but two motives aſſigned. The firſt was, to give the prince his ſon a wife of royal extraction, thinking any other princeſs beneath him. The ſecond was, the portion of eight hundred thouſand crowns, which might excite his deſire. As to the prejudice this treaty might bring to the proteſtant religion, it troubled him not, for he never had the intereſt of that religion much at heart.

The treaty being ſigned at Paris, Mr. de Lomenie, ſecretary of ſtate, was ſent to London to ſee it ſworn by the king and prince. Immediately after, all the proſecutions againſt the papiſts ceaſed, and the king promiſed all the priſoners ſhould be releaſed, as ſoon as the marriage was conſummated. The recusants are no longer proſecuted.

When the earl of Carliſle was ſent to France to haſten the treaty of marriage, he had orders to propoſe to that court a league againſt the houſe of Auſtria. This was the prince's and Buckingham's grand aim. There was then a diſpute about the Valteline, between the kings of France and Spain, which made the court of England imagine Lewis would readily liſten to ſuch a propoſal. And indeed he did ſo: but it was only to frighten the pope and the Spaniard, and not with deſign to conclude the league. The duke of Bavaria had friends in the French court, who cauſed him to be much more regarded than the elector Palatine, expelled his dominions, and ſheltered in Holland. So Lewis's miniſters told the Engliſh ambaſſadors, that the league and marriage were two diſtinct affairs, which could not be negotiated together; but after the concluſion of the marriage, the league ſhould be treated of. By this anſwer, they kept the Engliſh in hope, and the Spaniards in fear. On the other hand, the count of Manſ- Contempt of the king and council.

feldt

James I. 1624. feldt ſtayed at or near Paris, and the Spaniards knew he had frequent conferences with the miniſters.

Some time after, Mansfeldt came to England, where he was received with extraordinary careſſes, and lodged by the prince in his palace at St. James's. Here, after ſome conferences, he agreed with the king, the prince, and the duke, that he ſhould have twelve thouſand men, to carry the war into the Lower Palatinate. This project being formed, the king preſſed the court of France with reſpect to the league: but his propoſal was artfully evaded on divers pretences, tho' without an abſolute denial. He was forced therefore to be contented, till the league was concluded, with demanding of the French king, a paſſage through his dominions for Mansfeldt's army. Lewis, in general or ambiguous terms, made him hope, not only that he would grant a paſſage, but alſo ſtrengthen this army with a body of his own troops. The event ſhowed, he meant after the concluſion of the league, whereas the Engliſh took it for a poſitive promiſe, whether the league ſhould be concluded or not. Purſuant to this project, the forces to be commanded by Mansfeldt were levied in England.

The king ſends Mansfeldt with an army to the Palatinate. Wilſon, p. 788, 789. Ruſhworth, t. i. p. 152, 153. Annals. Howes.

Whilſt this army was preparing to march, James cauſed a memorial to be preſented to the infanta Iſabella, demanding the city of Frankendal, which ſhe held in ſequeſtration, and, by the treaty of London, was to keep but till the end of the truce, which was to expire the 26th of October. Moreover, he demanded in the ſame memorial, a free paſſage for the garriſon he was to ſend to Frankendal, not only through the infanta's and his catholic majeſty's dominions, but alſo through the territories of their friends and allies. The infanta anſwered, ſhe would order the governor of Frankendal to ſurrender the place on the day appointed, to ſuch as ſhould produce a power from the king of England: that ſhe would grant a paſſage through her own, and the king of Spain's dominions, to the fifteen hundred foot, and two hundred horſe, which, according to the treaty of London, were to take poſſeſſion of Frankendal, and, in general, would punctually execute the treaty. But as to the king's farther demand, to procure him a paſſage for his troops through the empire, ſhe declared it was not in her power, neither was ſhe obliged to it. Thus the court of England found by experience their error, in not inſerting in the treaty of London, what they were afterwards forced to demand, and what the infanta might juſtly deny. It is very true, in withdrawing the Engliſh garriſon from Frankendal, James met with no obſtacle; but he could

He demands Frankendal of the infanta, Sept. 30. Ruſhworth, t. i. p. 151. and a paſſage for a garriſon through the empire.

The infanta cannot grant a paſſage through the empire. Ruſhworth, t. i. p. 151.

could not expect the ſame thing when he ſhould come to ſend them back. Some ſay, that on the 25th of October, the governor of Frankendal marched out of the city with his garriſon, but finding none of the king of England's forces ready to take poſſeſſion, inſtantly re-entered. James I. 1624.

This was not the only error of the court of England, the moſt impolitic then in Europe. The twelve thouſand men to be conducted by Mansfeldt to the Palatinate were embarked in December, in extreme cold weather, without the leaſt doubt of their paſſage through France. Nevertheleſs, when the army came before Calais, the French would not ſuffer them to land. Much time was ſpent in going from Calais to the court, and from the court to Calais, even ſeveral times, and all to no purpoſe. The king of France conſtantly aſſerted, he had never poſitively promiſed to grant theſe troops a paſſage. The Engliſh authors call this a real breach of faith. I don't know whether they are in the right, and whether the court of England is not rather to be blamed, for not taking better meaſures, and ſecuring a paſſage through France, before the embarkation of the forces. However, the army ſuffering greatly on board the ſhips where the ſoldiers were cloſely pent up, Mansfeldt was forced to ſail for Zealand, where he met with the ſame difficulties. The Zealanders ſaid, they had not proviſions for ſuch a number of troops, having had no notice of their coming. Much time was employed in negotiating. Meſſengers were ſent to the Hague, and afterwards to London. In the mean while, the peſtilence raging among the ſoldiers, above two thirds periſhed before they were ſuffered to land. Moſt of thoſe that eſcaped, either deſerted, or liſted among the ſix thouſand Engliſh which were in the ſervice of the ſtates. Thus, by the court's wrong meaſures, this army became uſeleſs, and the money ſpent in raiſing it, was loſt [u]. Mansfeldt is denied a paſſage through France. Wilſon. p. 789. Coke. Ruſhworth. t. i. p. 154.

[u] Theſe twelve thouſand foot were divided into ſix regiments, the colonels whereof were Theophilus Clinton earl of Lincoln, the lord Doncaſter ſon to the earl of Carliſle, the lord Cromwel, Sir Charles Rich, Sir John Burroughs, and colonel Grey a Scotchman, who had been an old German commander, and affected to wear buff in time of peace, and at court, with a brace of piſtols at his girdle, which the king never liked to ſee. There were likewiſe two troops of horſe raiſed for this ſervice; one of which was commanded by the earl of Lincoln, and the other by one Gunter. Ruſhworth, tom. i. p. 153. At their winter quarters at Roſendale, the earl of Southampton, and his ſon the lord Wriothesley, were both ſeized with burning fevers. The ſon died, and the father overcoming the fever, departed from Roſendale, with intention to bring his ſon's body to England, but died of a lethargy at Berghen-op-Zome, ſo were both in one ſmall bark brought to Southampton, and buried at Tichfield. Wilſon, p. 789.

It

James I. 1625. It was February 1625, before pope Urban's diſpenſation arrived. When it came to Paris, two new conditions, not mentioned in the treaty, were ſeen in it with ſurprize, namely, 1. That the domeſtics of the children, born of this marriage, ſhould be catholics. 2. That the princeſs ſhould appoint them, and the pope abſolutely required the king of England, and the prince his ſon, to ſwear theſe two articles, otherwiſe the diſpenſation was void. The king of France was very angry with father Berulle for accepting ſuch a diſpenſation. But the father was ſo far from thinking it a fault, that he himſelf, as it is ſaid, inſinuated to the pope, that it would be proper to add theſe two articles, as having been forgotten in the treaty. The court of France therefore was under a freſh concern, fearing king James would reject theſe new conditions. But he was far from breaking for ſuch a trifle. He accepted them without being much importuned, and only refuſed to ſwear again, ſaying, his word was ſufficient. But without the oath, the diſpenſation was not valid. To ſatisfy the pope therefore, the king of France and the princeſs his ſiſter were forced to write to him, that they would warrant the performance of the two laſt articles. Notwithſtanding this, a new diſpenſation was to be ſollicited, which was ſome months in coming, and in that interval died king James, without having the pleaſure of ſeeing the marriage conſummated.

Difficulties about the diſpenſation.

A new diſpenſation is demanded.

Death of k. James. Wilſon. p. 790.

About the middle of March he was ſeized with a tertian ague, of which he had ſome fits. But though commonly ſuch agues are not dangerous in the ſpring, this brought him to his grave. He died at Theobalds the 27th of March, in the fifty-ninth year of his age, after a reign of two and twenty years in England.

Suſpicions againſt Buckingham. Wilſon. Weldon, p. 171. Coke. p. 175, 176.

His death happening, as I may ſay, ſuddenly and unexpectedly, cauſed many ſuſpicions, which fell on the duke of Buckingham. When one of the king's fits was going off, the duke cauſed certain plaiſters to be applied to his ſide and wriſts, and gave him twice with his own hands a medicine to drink, in the abſence of the phyſicians. Nay, he would have given it a third time, but could not perſuade him to take it. The king finding himſelf much worſe, ſent for the phyſicians, who ſaid poſitively, they would not preſcribe, if the plaiſters were not immediately removed. However, the king died within a few days. The duke was afterwards impeached by the commons, not directly for poiſoning the king,

but

but for daring to apply remedies without the advice of his phyſicians[w]. James I. 1625.

James left only a ſon and a daughter. His daughter was married to a prince who had now loſt his dominions, and was fled for refuge to Reenen, in the province of Utrecht, where he kept his little court very poorly. King James, who was ſo liberal, is accuſed of having but moderately contributed to the maintenance of this diſconſolate family. I don't know whether there be any ground for this accuſation. Charles, prince of Wales, who ſucceeded his father, was ſtill more unfortunate than his ſiſter.

James I. as I have elſewhere obſerved, has had for hiſtorians men very much prepoſſeſſed in his favour, or extremely prejudiced againſt him. This naturally followed from the diviſions to which he himſelf had given birth. Some repreſent him as a perfect pattern of a good king: others blacken his reputation as much as poſſible, by aggravating his failings. The reaſon of this diverſity proceeds from the hiſtory of his reign being penned at a time when the animoſity of the two parties was at the height, whence both have happened to leave in their writings evident marks of their paſſion. Therefore the character of this prince muſt not be formed, either upon the praiſes of the one, or the invectives of the other, but upon his manner of governing, upon his ſpeeches and actions. This might be done by recollecting the principal circumſtances of his reign. But to ſave the reader the pains, I ſhall briefly relate, what is ſaid on both ſides, of which he will be able to judge. Wilſon. Coke. Weldon. Annals. Sanderſon.

The principal ingredients in king James's panegyric is the conſtant peace he cauſed his ſubjects to enjoy. This cannot be ſaid to be the effect of chance, ſince it clearly appears to have been his ſole, or, at leaſt, chief aim in his adminiſtration. Nothing, ſay his friends, is more noble or more worthy a great king than ſuch a deſign. But this deſign loſes all

[w] Wilſon ſays, one of Buckingham's chief motives was thought to be his fear the king would ſet up Briſtol his deadly enemy againſt him, to pull him down. And if what Burnet ſays be true, he had reaſon likewiſe to fear the king's old favorite Somerſet. He ſays, the king being reſolved to bring the earl of Somerſet into favour again, met him in the night in the gardens at Theobalds: two bed-chamber men were only in the ſecret: the king embraced him tenderly, and with many tears: the earl of Somerſet believed the ſecret was not well kept, for ſoon after, the king was taken ill with an ague, and died at Theobalds. Burnet ſays, he had this from ſome who were told it by the earl himſelf. Dr. Craig the king's phyſician was diſgraced, for ſaying, he believed the king was poiſoned. Burnet, p. 17.

its

James I. 1625.

its merit, if the prince is diſcovered by his conduct, to preſerve peace only out of fear, ſupineneſs, exceſſive love of eaſe and repoſe; and king James's whole behaviour ſhows he acted by theſe motives, though he coloured it with the pretence of affection for his people.

Bacon.

If ſome take care to extol his knowledge in philoſophy, divinity, hiſtory, polite learning, others affirm, it was but real pedantry, and that from all his acquired knowledge he learnt only to talk very impertinently on every ſubject, inſtead of framing ſolid and ſure rules for the government of his dominions.

Coke, p. 176.

Coke, p. 180.

His liberality, which ſome praiſe, is exclaimed againſt by others as prodigality. Theſe pretend, he gave without meaſure and diſcretion, without any regard to his own wants, or the merits of thoſe on whom he heaped his favours.

Williams.

Coke, p. 176.

The ſame contrariety occurs between king James's hiſtorians with reſpect to his capacity. Some call him for his wiſdom, the Solomon of the age. Others endeavour to diſplay all his errors, particularly in the two ſole important affairs of his reign, wherein he came off very ill, namely, the prince his ſon's marriage, and his ſon-in-law's election to the kingdom of Bohemia.

Some extol him for maintaining the prerogative royal in its full luſtre, in ſpite of the efforts of thoſe who were continually attacking it. Others pretend, he had conceived very wrong ideas of the Engliſh conſtitution, and by aiming to carry the regal authority too high, and inſtilling the ſame principles into his ſucceſſor, he was the prime cauſe of his family's ruin.

Echard. Weldon. p. 179, 186. Coke, p. 71.

As to his manners, writers are no leſs divided. Some deſcribe him as a very wiſe and virtuous prince, whilſt others ſpeak of him as a prince of a diſſolute life, given to drinking, and ſwearing in common converſation, eſpecially when he was in a paſſion. He is likewiſe reproached for diſſolving the earl of Eſſex's marriage, pardoning the earl and counteſs of Somerſet, for the death of Sir Walter Raleigh, and for confidently calling God to witneſs, in full parliament, that he never had any thoughts of granting the papiſts a toleration, which he could not affirm but by means of ſome mental reſervation.

Burnet. p. 17.

Coke. Burnet.

In fine, whilſt ſome praiſe his moderation and equity to the catholics, others pretend to demonſtrate he was a papiſt in his heart, and only profeſſed the proteſtant religion out of fear of what might follow, in caſe he openly declared for the catholic.

catholic. If ſome ſay, in proof of his being a good proteſtant, that he made conſtant profeſſion of the eſtabliſhed religion, perſevered in it to his death, and when dying, charged the prince his ſon to protect the church and clergy; others anſwer this is far from a demonſtration. They pretend, the point is not to know what he would appear to be, but what he was in reality, and that his actions belied his outward profeſſion: that the ſame thing had happened to him in Scotland, where till the age of thirty-ſix years, he had profeſſed a religion which he mortally hated, as plainly appeared afterwards[x]. That when he came to England, he declared himſelf openly the protector of the papiſts: took their part on all occaſions: promoted them to honours, dignities, public offices: that in his reign the laws againſt them were never duly executed, of which he boaſted to the catholic princes in his apology concerning the oath of allegiance: that in all his ſpeeches, whether in the parliament or the ſtar-chamber, his conſtant aim was to move his ſubjects to conſent to a full toleration for the catholics: but not finding the parliament inclined as he wiſhed, he granted, by his ſole authority, a toleration in effect, by hindering the execution of the laws, and diſcharging the condemned recuſants from fines, and other penalties: that in his conventions with Spain and France, he poſitively promiſed to cauſe no more laws to be enacted againſt the papiſts, and thoſe already in force not to be executed: that on all occaſions, he affected to ſhow he found nothing amiſs in the Roman religion, but the pope's exorbitant power over princes: that by giving the pope the titles of holy father, his holineſs, and by conſenting that his ſon's children ſhould be educated in the Roman religion till the age of thirteen years, he plainly diſcovered he ſhould not be ſorry for their continuance in that religion: laſtly, his engagements with the archbiſhop of Ambrun is a freſh and manifeſt proof of his being a true papiſt. To this the others reply, it is not poſſible to conceive, that if king James had been a papiſt in his heart, he would have

James I. 1625.

[x] Of king James's diſſimulation in point of religion, there is a clear evidence in a ſpeech of his to the kirk of Scotland, which he is ſaid to ſpeak ſtanding, with his bonnet off, and his hands lifted up to heaven, wherein among other things, "He bleſſed God "that had honoured him to be king "over ſuch a kirk, the ſincereſt kirk "in the world. The church of Geneva, what are they? They keep "Paſche and Yule, [i. e. Eaſter and "Chriſtmas.] What authority have "they in God's word, and where is "their inſtitution? As for our neighbour church in England, their "ſervice is an evil maſs, ſaid in Engliſh; they want nothing of the maſs "but the liftings," &c. Calderwood, Hiſt. of Ch. of Scot. p. 246.

ſpent

James I. 1625. spent a considerable part of his time in writing books against the popish religion, and combating the arguments of Bellarmine and Du Perron.

Having related what is said for and against king James, with respect to his religion, I shall take the liberty to offer my opinion or conjecture, which is, that this prince was truly neither a sound protestant, nor a good catholic. One can hardly help owning, that he had never much at heart the interest of the protestant religion, as on the other hand, it cannot be denied, he made public and constant profession of the same to his dying day. This induces me to think he had formed a scheme of religion different from that of others, according to which he counted of no moment, what the protestants and catholics looked upon as essential. The difference between the two religions, with respect to the tenets, was not what affected him most. He believed, probably, that every religion was good, provided it taught obedience to sovereigns, and preserved the hierarchy, which he considered as a fundamental article. It is therefore no wonder, that, agreeably to this scheme, he should refuse to enter into the measures of the English protestants to hinder the growth of the Romish religion in England, or not scruple to continue in the religion he professed, since, according to his notions, the two religions were equally good, provided the pope's despotic power was abolished. I scarce doubt that in his conferences with the archbishop of Ambrun, he had in view the chimerical project of reconciling the two religions, without troubling himself about the tenets which divided them, and which, in one of his speeches, he called scholastic questions. But, very probably, if he could have executed this project according to his ideas, all the advantage would have been on the side of the Romish religion. This, in my opinion, is the only way to excuse his condescension to the catholics, and his zeal to protect them. Otherwise, I don't see how his doubtful behaviour, with regard to religion, can well be accounted for. This may also serve to discover the reason of his rejecting with so much animosity the religion of the puritans, whose principles he believed directly contrary to the scheme he had formed.

† As to the king's person, though his father and mother were esteemed the handsomest couple of the age they lived in, yet he was himself but homely, nor in any of his features was to be found the least resemblance of the beautiful Mary Stewart, or lord Darnly. Welwood, p. 17.

But

But whatever may be ſaid for and againſt king James's perſon, it is certain, England never flouriſhed leſs than in his reign, and the Engliſh ſaw themſelves expoſed to the inſults and railleries of other nations, whilſt the blame was generally caſt on the king[z]. James I. 1625.

[z] The following epigram made in France in his time, is a clear evidence in what eſteem he was with his neighbours.

T'andis qu' Elizabeth fut roy,
L' Anglois fut d' Eſpagne l'effroy.
Maintenant, deviſe et caquette,
Regi par la reine Jaquette.

That is literally in Engliſh,

Whilſt Elizabeth was king,
The Engliſh were of Spain the terror.
But now, governed by queen Jaquet,
They only talk and prattle.

By an indenture of the 2d of James I. a pound weight of gold, of twenty-two carats fine, and two carats allay, was coined into 37 l. 4 s. by tale; namely, into unites going for 20 s. double crowns at 10 s. Britain crowns at 5 s. thiſtle crowns at 4 s. and half-crowns at 2 s. 6 d. a-piece: and a pound weight of ſilver of the ſaid old ſtandard into 62 s. by tale; namely, into ſhillings, ſix-pences, two-pences, pence, half-pence, crowns, and half-crowns. ——In the 3d year of this reign, a pound weight of gold of the old ſtandard, of twenty-three carats, three grains and a half fine, was coined into 40 l. 10 s. by tale; namely into roſe-rialls at 30 s. a-piece, ſpur-rialls at 15 s. and angels at 10 s. a-piece——In the 9th, there was a proclamation for raiſing gold 2 s. in every 20 s. ——In the 10th, a pound weight of the old ſtandard gold was coined into 44 l. by tale; namely, roſe-rials, ſpur-rials, and angels; and a pound weight of gold of twenty-two carats fine, was coined into 40 l. 18 s. and 4 d. namely, into unites at 22 s. double crowns at 11 s. Britiſh crowns at 5 s. 6d. thiſtle crowns at 4 s. 4 d. three farthings, or half Britiſh crowns at 2 s. 9 d. a-piece.

The gold coins of this king (as appears from the indentures above) are roſe-rials, and ſpur-rials, angels, unites, crowns, and half-crowns of ſeveral denominations. The roſe-rial has on one ſide the king upon his throne, in his robes, with crown, ſcepter, and ball, at his feet a portcluſe, IACOBVS. D. G. MAG. BRIT. FRAN. ET. HIBER. REX. Reverſe, the roſe and arms, which are quarterly, France and England in the firſt and fourth quarters; ſecond, the lion within the double treſſure fleury, for Scotland; third, the harp for Ireland, A. DNO. FACTVM. EST. ISTVD. E.T. EST. MIRAB. IN. OCV. NRIS. The unite has on one ſide the king's figure, IACOBVS. DEI. GRA. MAG. BRIT. FRAN. ET. HIBER. REX. Reverſe, FACIAM. EOS. IN. GENTEM. VNAM. Of theſe unites there are ſeveral ſorts, as may be ſeen in Nummi Britann. Hiſtoria, p. 84, 85. One in particular has the king's buſto laureate on one ſide, and XX. behind the head, a ſcarf croſs the ſhoulder, inſcriptions and arms as the former unites, HENRIC. ROSAS. REGNA. IACOBVS. There is a half, with X. behind the head, and a quarter with V. The crowns have on the reverſe the arms, and HENRICVS. ROSAS. REGNA IACOBVS. The thiſtle crown has on one ſide a roſe crowned, and IA. D. GRA. MAG. BR. FR. ET. HIBER. REX. On the other ſide a thiſtle flower crowned, TVEATVR. VNITA. DEVS. (Fig. 1.) The half-crowns have, on one ſide, the king's figure, and IA. D. G. ROSA. SINE. SPINA. Reverſe, the arms,

and

and TVEATVR. &c.———The ſilver coins of this king are crowns, half-crowns, ſhillings, ſix-pences, two-pences, pence, and half-pence. The crown repreſents the king on horſe-back in armour, and crowned, holding a ſword in his hand; the roſe and crown upon the trappings of the horſe. IACOBVS. D. G. ANG. SCO. FRA. ET. HIB. REX.. Reverſe, the arms, EXVRGAT. DEVS. DISSIPENTVR. INIMICI. Another crown is inſcribed, IACOBVS. D. G. ANG. SCO. FRA. ET. HIB. REX.. Reverſe, the arms, QVÆ DEVS. CONIVNXIT. NEMO. SEPARET. The ſhillings have XII. (Fig. 2.) and the ſix-pences VI. behind the king's head crowned, with legends as on the crowns. The pence and two-pences are inſcribed I. D. G. ROSA. SINE. SPINA. with I. or II. behind the king's head crowned. (Fig. 4.) Reverſe, the arms fill up the whole area. The Iriſh monies are in all reſpects like the Engliſh, only have a harp crowned on the reverſe (Fig. 3.) The copper money of Ireland has two ſceptres through the crown.

THE HISTORY OF ENGLAND.

BOOK XIX.

Containing the firſt ten Years of the Reign of CHARLES I. *from* 1625 *to* 1636.

Conſiderations on the Authors who have writ the Hiſtory of CHARLES I.

THE civil war between Charles I. and the parliament, gave birth to two parties, who contended for victory till the battle of Nazeby. By this battle, the parliament acquired a ſuperiority, which enabled them to hold the king's party, or the cavaliers, in a ſort of ſlavery, from which they were not delivered till 1660, by the reſtoration of Charles II. After the reſtoration, the royaliſts in their turn became ſo ſuperior, that the other party durſt no longer hold up their heads. This continued till the end of the reign of James II. during the ſpace of twenty-ſeven or twenty-eight years. In one or other of theſe two intervals were

were penned moſt of the works, wherein the authors undertake to give an exact account of the troubles of England in the reign of Charles I. with the grounds and cauſes of the ſame. From the concluſion of the war, to the reſtoration of Charles II. the friends of the parliament had free ſcope to write and publiſh whatever they pleaſed, whilſt the king's adherents durſt not ſet their names to their writings. In this interval, were publiſhed numberleſs polemical papers, with ſuch animoſity, ſo many reproaches and invectives, that it is not eaſy for a man, who is in ſearch after truth, to diſcern, in all theſe writings, the proofs which may have ſome ſolidity, and ſeparate them from the preſumptions, falſe conſequences, artful ſuppoſitions, and invectives, wherewith they abound.

One of the moſt conſiderable writings of thoſe days was Eikon Baſiliké, or the King's Portraiture, publiſhed in 1649. It can hardly be doubted, that Charles I. was himſelf the author [a]. He undertakes in this work to vindicate himſelf upon all the articles laid to his charge. It is properly an abſtract of the reaſons he had before publiſhed in ſeveral papers printed by his order, or addreſſed to both houſes of parliament. I have not quoted this book in the hiſtory of his reign, becauſe it contains nothing with regard to the facts or proofs, but what is more fully expreſſed in the king's meſſages, anſwers, and declarations. An anſwer was publiſhed to this book, pretending to ſhow, the king had not ſpoken with ſincerity; and preſently after appeared a reply to this anſwer. This treatiſe has been highly eſteemed, becauſe it contains all the principal arguments in favour of the king. It may be eaſily preſumed, the king forgot nothing material, ſince no man could know his affairs better than himſelf. Accordingly, this book has ſerved for foundation to whatever has been ſince penned in his favour.

Another very conſiderable work, publiſhed a little after the death of Oliver Cromwel, and dedicated to his ſon Richard whilſt protector, was Ruſhworth's Collections. This work may very juſtly be conſidered as a continuation of Rymer's Fœdera, of which I have made great uſe in this hiſtory. It is a collection of all that paſſed with reſpect to the public affairs, from the year 1618, to the death of Charles I. not

[a] This ſeems to be ſaid without ſufficient ground, for whoever reads what Dr. Walker and Toland in his Amyntor, have publiſhed on this ſubject, muſt be inclined to believe, that the king could not poſſibly be the author. Indeed it is almoſt demonſtrable, that biſhop Gauden wrote that treatiſe. See on one ſide, the aforeſaid Dr. Walker, and Toland; and alſo Ludlow, and Burnet's Hiſt. of his own Time; and on the other ſide, Dr. Hollingworth, Mr. Wagſtaffe, &c.

by way of narration, but affording materials to compoſe a regular hiſtory. It contains all the tranſactions at court and in the parliament; the king's proclamations upon ſundry matters; his ſpeeches to both houſes, and thoſe that were made by his order; the addreſſes or petitions preſented to the king by the parliament; his majeſty's anſwers; the petitions preſented to both houſes; the ſpeeches in the houſe of commons, as well as in the courts of juſtice; the votes or reſolves of the two houſes, and their conferences upon divers ſubjects; the king's meſſages to the parliament, with the anſwers; the impeachments of the commons brought before the lords againſt ſeveral illuſtrious perſons; the anſwers of the parties accuſed; the ſentences; the petitions of the commons and both houſes to the king, concerning religion, tunnage and poundage, the affairs of the militia, breaches of privilege, the affair of Hull; the king's anſwers and his ſeveral meſſages upon theſe affairs; the king's and the parliament's manifeſto's; all the events of the war; the accounts of the ſkirmiſhes, ſieges and battles; the negotiations for peace; a great number of papers, which give a perfect knowledge of the differences between the king and his Scotch ſubjects, and of thoſe between the army and parliament, with the negotiations between the king and both houſes, after his majeſty's impriſonment; the violence exerciſed by the army upon the parliament, the king's condemnation and death. Theſe materials are the more valuable, as the author draws no conſequence from what he relates, and very ſeldom endeavours to prejudice his reader by reaſonings; ſo that every man is free to make what uſe of them he thinks fit, according to his own principles. I ſhall ſpeak a little more fully of theſe collections hereafter.

From the reſtoration of Charles II. to the end of his reign, two other works were publiſhed upon the ſame ſubject, I mean, upon the reign of Charles I. and a third was compoſed at the ſame time, though publiſhed later.

The firſt is entitled, The Annals of King James and King Charles I. It is ſaid to be compoſed by Dr. Franklin, who has not thought fit to put his name to it. He begins his Annals at the year 1612, and continues them through the reſt of the reign of James I. and from the death of that prince to the year 1642, during the firſt eighteen years of the reign of Charles I.

The ſecond publiſhed in 1682, was compoſed by John Nalſon, doctor in law. It is entitled, An impartial Collection of the great Affairs of State, from the beginning of the Scotch re-

rebellion to the murder of king Charles I. This collection begins only at the year 1639, and though probably the author intended to continue it to king Charles's death, as appears by the title, he left it imperfect, and brought it no lower than January 1641-2, in two volumes in folio.

The third is, The History of the Rebellion and Civil Wars in England, written by the earl of Clarendon. This history was penned before Nalson's, though it appeared not till queen Anne's reign. It begins properly with the parliament of November the 3d, 1640, the whole first book being a sort of introduction, where the author gives a general account of what passed from the last years of James I. to that parliament. This history reaches to the restorarion of Charles II. in 1660.

The three last works were composed in the reign of Charles II. at a time when that prince had carried the royal authority much higher than the king his father had ever done; at a time when those who had been adherents of the long parliament, or were in the same principles, were cruelly persecuted, and when it was more dangerous to be a presbyterian than an atheist,

I shall not speak here of many less considerable writings, most of which ascribe to the king an unlimited power, and consequently represent the war of the parliament against Charles I. as the blackest and most evident rebellion.

Whoever intends to write the history of the reign of Charles I. must take his materials from some one of the works I have mentioned, or from all. For this reason I think myself obliged to speak a little more fully of them, to the end it may not be thought strange that I have not adopted without examination whatever they contain. Was there among the English some good neuter historian, it would be he that should be taken for guide; but I know not of any. He therefore that undertakes to write at this time the history of Charles I. must endeavour to discover the truth in even the most partial historians, and be extremely careful to avoid the continual snares they lay for their readers, to favour the cause they maintain. One must know what was their design in writing, what system they followed, and the artifices they used to engage in their principles such as make but few reflections in reading a history, and are apt to be easily drawn into the prejudices of the historian. I shall begin with Rushworth, who was the first writer.

There is no historian that can appear at first sight more impartial than he that contents himself with furnishing mate-

rials for a hiſtory, without drawing any conſequences himſelf, and without reaſoning upon the papers he exhibits, either for or againſt what they contain. It is however, certain, that even in this he may ſhow very great partiality, as for inſtance, in giving forged papers, in curtailing or altering thoſe that are true, in giving ſuch only as may be advantagious to the party he would favour. Ruſhworth, who was moſt certainly a friend to the parliament, clerk-aſſiſtant to the houſe of commons, and ſecretary to general Fairfax, is accuſed of three things by the contrary party. It is pretended, 1. That he has given falſe papers. 2. That he has curtailed others, under colour of abridging them. 3. That he has affected to give all thoſe that are favorable to the Parliament, and to omit ſeveral which might ſerve to ſhow the king's innocence. 4. Laſtly, that not declaring, from whence he received his materials, we have only his authority for what he relates. This is a general accuſation, which, were it well proved upon any important and deciſive facts, is ſufficient to ſhake the credit of the collector. The reader will judge, whether this charge is made good with regard to the particular caſes on which he is accuſed, and whether theſe caſes are of ſuch a nature, that they ought to determine the diſintereſted to neglect the generality of his collections. I ſhall take theſe particular accuſations from Nalſon's introduction, wherein his chief aim was to diſcredit Ruſhworth, and perſuade his readers that they ought not to believe any thing he advances. It is very likely, Nalſon has forgot nothing upon this ſubject. I ſhall begin with the falſe papers he accuſes Ruſhworth of inſerting in his collections.

The firſt paper forged by Ruſhworth, according to Nalſon, is a ſpeech of king James to the parliament, the 30th of January 1620. Inſtead of giving this ſpeech entire, Ruſhworth inſerts only an abſtract. And therefore Nalſon takes care to print the true ſpeech, and Ruſhworth's abſtract in ſeparate columns, that they may be the more eaſily compared. He adds, that the whole ſpeech was communicated by William Sancroft archbiſhop of Canterbury. Upon comparing Ruſhworth's abſtract with the entire ſpeech, there appears but one material paſſage which could give occaſion to charge Ruſhworth with unfaithfulneſs. And that is, where it is ſaid in the ſpeech, "A parliament is an aſſembly compoſed of a "head and a body. the monarch is the head, and the three "eſtates the body." Whereas it is ſaid in the abſtract, "the "parliament is a thing compoſed of a head and a body, the "monarch and the two eſtates." This induces Nalſon to ex-

exclaim againſt Ruſhworth, for reducing by his own authority the three eſtates, namely, the lords ſpiritual, the lords temporal, and the commons, to two eſtates, meaning thereby, that the houſe of peers made but one eſtate.

This queſtion was debated with great warmth, when the excluſion of the biſhops out of the upper-houſe was in agitation. For if the biſhops were one of the three eſtates of parliament, it was evident they could not be excluded without altering the conſtitution. But this opinion was not generally received. The commons pretended, that the biſhops with the peers made but one eſtate. Nalſon pretends therefore, that Ruſhworth, to countenance the commons opinion, and juſtify the excluſion of the biſhops, makes king James ſay what he did not. To prove this, beſides the whole ſpeech, communicated by the archbiſhop of Canterbury, he alledges ſeveral things to ſhow, there have always been three eſtates acknowledged in the parliament beſides the king. He anſwers the objection drawn from Charles the firſt's confeſſion, after the excluſion of the biſhops, that himſelf was one of the three eſtates of parliament, and concludes that James I. could not ſpeak in his ſpeech of two, but of three eſtates.

A ſecond inſtance of Ruſhworth's unfaithfulneſs is, that he gives only an abſtract of a letter to the king from an unknown hand, tending to ſhow, that the parliament attacked the king himſelf, in attacking the duke of Buckingham. This charge conſiſts wholly in the ſuppoſition that Ruſhworth abridged this letter to hinder his readers from perceiving all its force.

The third inſtance of Ruſhworth's unfaithfulneſs, is, that he has publiſhed in his appendix a ſcandalous paper, called, "A Propoſition for his majeſty's ſervice to bridle the imper-"tinence of parliaments." It is true, Ruſhworth ſays, this paper was queſtioned in the ſtar-chamber. But Nalſon pretends, this is not ſufficient to excuſe Ruſhworth, who, he ſays, ought to have ſhown upon what grounds it was queſtioned, which he does himſelf very largely.

A fourth inſtance of Ruſhworth's unfaithfulneſs, is, that he inſerts in his collections, a pretended letter of archbiſhop Abbot to James I. to diſſuade him from granting a toleration to the papiſts, when he was upon the point of concluding the prince his ſon's marriage with the Spaniſh Infanta. Nalſon ſays upon this ſubject, that the archbiſhop being then out of favour, and having nothing to do with the management of counſels, could have no other foundation, but either his own conjecture, or the common rumour, both equally liable to deceive

deceive and to be deceived. He does not poſitively ſay, however, that the letter is forged, but contents himſelf with inſinuating it, becauſe Ruſhworth not having ſaid how he came by the letter, the credit of it reſts ſolely upon his fidelity.

But the fifth and moſt crying unfaithfulneſs of Ruſhworth, according to Nalſon, are the private articles of prince Charles's marriage with the infanta of Spain. He pretends they are all forged, on purpoſe to blacken the king and prince, by intimating that their deſign was to reſtore the catholic religion in England, and alledges ſeveral arguments to prove the forgery.

1. It is not probable, the king and prince ſhould promiſe what they knew was not in their power to perform, conſidering the ſtrength and conſtitution of the Engliſh laws againſt popery, and that the Engliſh nation would never have ſuffered it. This is not one of the moſt convincing arguments.

2. The parliament never taxed Charles I. with theſe private articles, not even in the declaration, where they collected all the reaſons which could juſtify their reſolution of not preſenting any more addreſſes to his majeſty. This is a much ſtronger argument than the former.

3. In the Memoirs of Deageant it is ſaid, the king of France hearing of king James's death, ſays to the archbiſhop of Ambrun, "All our hopes of England are loſt." Which ſhows, that Charles had no intention to reſtore the catholic religion. One would think Nalſon ſhould not have alledged this reaſon, which, in clearing this prince, caſts a great blemiſh on James I.

4. He ſays, Ruſhworth, by inſinuating that Charles I. intended to reſtore the catholic religion, contradicts himſelf, ſince he tells us in another place, that the prince being in Spain, remained ſtedfaſt in his religion, what endeavours ſoever were uſed to ſeduce him.

5. Ruſhworth produces no other authority for the truth of theſe private articles, but his own, and, in all appearance, the French Mercury is his author.

The ſixth inſtance of unfaithfulneſs laid by Nalſon to Ruſhworth's charge, is, the pope's letter to the prince when in Spain, and the prince's anſwer. 1. Becauſe it was a thing of mere ceremony. 2. In his circumſtances it was no more than what common prudence and policy obliged him to, in order to get out of the king of Spain's hands. This excuſe ſhows Nalſon was not thoroughly convinced of the forgery of theſe

theſe letters. He inſinuates, however, that they might be counterfeit, by reaſon Ruſhworth alledges no other authority than his own. It is true, he ſays the copies of theſe letters were preſerved by ſome who were then at Madrid, but names no body. This made Nalſon believe, Ruſhworth took the letters out of the French Mercury.

I come now to the charge againſt Ruſhworth, of inſerting in his collections only what was advantagious to the parliament, omitting whatever was favourable to the king. Nalſon gives three inſtances in three particular caſes.

The firſt is, that in the affair of impriſoning the members of parliament, ſeveral of the judges gave their opinions, to ſhow that the king's conduct was not againſt law. Nalſon ſays, Ruſhworth is contented to mention the ſpeeches of two judges, namely, Whitelock's and Doderige's, which were in favour of the king, and to ſay that Hide and Jones delivered their opinions to the ſame purpoſe. This charge therefore conſiſts, in that Ruſhworth, after giving the ſpeeches of two of the judges, thought not proper to inſert thoſe of the reſt who were for the king upon the ſame principles. But Nalſon pretends, he ſhould likewiſe have given Hide's and Jones's ſpeeches, and does it himſelf. Indeed Ruſhworth may be guilty of ſome partiality in omitting the two laſt, if it be true that they are ſtronger, and better ſupported than the others, of which I cannot judge.

The ſecond caſe is, that Ruſhworth, ſpeaking of ſerjeant Aſhley's ſpeech in the houſe of lords, ſays, he advanced the following propoſition, for which he was committed to cuſtody, and afterwards recanted: "That the lords muſt allow the "king to govern by acts of ſtate, otherwiſe he is a king "without a council, or a council without power." Nalſon makes it a crime in Ruſhworth, not to have given Aſhley's whole ſpeech, which would have ſhown that the ſerjeant's fault was rather ſtemming the popular tide, than any other offence; that is, according to Nalſon, Aſhley very juſtly maintained this maxim, that the king muſt be allowed to govern by acts of ſtate. Such a charge can do no great injury to Ruſhworth.

The third caſe relates to the famous Sir Edward Coke, who, when judge, was of opinion, that if the privy council commit a man, he is not bailable by any court of juſtice. But afterwards, being turned out of his office, and choſen member of parliament, he maintained the contrary opinion. Nalſon accuſes Ruſhworth of concealing this change in Coke, by caſtrating and abridging his ſpeeches, for fear his readers

ſhould

ſhould perceive that Coke, who was odious to the court, acted out of revenge, in maintaining an opinion contrary to his aſſertion when judge.

This is all Ruſhworth has been charged with. But I queſtion whether the equitable and diſintereſted will be convinced, that theſe particular accuſations ought to make him forfeit all his credit. His work is in eight volumes in folio, and contains ſo great a number of facts, votes, public ſpeeches, and papers of all kinds, that it would be a ſort of miracle to meet with nothing to cenſure. However, all poſſible endeavours have been uſed to diſcredit him, by general charges of partiality, unfaithfulneſs, and inſincerity. And it was this that induced me to ſay what I have ſaid, in order to ſhow what theſe general accuſations amounted to, when reduced to particular caſes.

It is however very certain, that Ruſhworth's aim and deſign, in publiſhing his Collections, was to diſparage the king's conduct, and favour the parliament's cauſe. But Ruſhworth's intention ſignifies nothing, to the knowing whether a man may ſafely make uſe of his Collections. The only queſtion is, whether his papers are true or falſe. If they are true, however injurious they be to the king's cauſe, whoever will write an impartial hiſtory of this reign, is not obliged to reject them for that reaſon. This is ſo true, that even the moſt devoted hiſtorians to Charles I. have been forced to make uſe of theſe papers [b], and take them for granted, becauſe otherwiſe it would be impoſſible to compoſe the hiſtory of this reign, which conſiſts only of the materials furniſhed by Ruſhworth. Had he begun his Collections no higher than with the affairs of the parliament of November the 3d 1640, the king's friends would doubtleſs have readily forgiven him. But the papers of the twenty foregoing years are too hard of digeſtion, becauſe they ill-agree with the hypotheſis of the royal party, of which I ſhall ſpeak preſently, and too clearly diſcover, that Charles I. deſigned to introduce arbitrary power, and conſequently, the long parliament had ſtrong reaſons to hinder the entire execution of ſuch a deſign.

I do not ſee therefore any reaſon for rejecting the papers inſerted by Ruſhworth in his Collections, eſpecially as both parties have equally made uſe of them, though in a very different manner. Some produce them in favour of the parliament, and others, to ſupport the king's cauſe. But even in this, both have owned, they were not only uſeful; but abſo-

[b] As particularly Naſſon himſelf, and Franklin; the main of whoſe collections is taken out of Ruſhworth.

lutely

lutely neceſſary. If there are any paſſages combated as forged, they are very few; and it is ſtrange, that after ſo many exclamations againſt Ruſhworth's concealments and omiſſions, there appear in the writings of the king's favourers ſo few material papers, that are not in his Collections.

I proceed now to thoſe who writ in vindication of the king's cauſe, as Franklin, Nalſon, and the earl of Clarendon, omitting the other authors of leſs note, to avoid being tedious.

Theſe, in compiling the hiſtory of this reign, have formed two ſyſtems, directly contrary to thoſe of the friends of the parliament, though they have made uſe of Ruſhworth's materials. As theſe books were compoſed at a time when the regal authority was higher than ever, they have not ſcrupled to build upon the ſuppoſition of the king's having an abſolute power. Though they uſe not the word, there is hardly a page in their writings where this principle is not maintained or ſuppoſed. Hence it follows, that on the parliament's ſide, the civil war was a manifeſt rebellion. So, the proceedings of the parliament, which ſome repreſent as abſolutely neceſſary for the preſervation of the government, are accounted by others as rebellions and treaſons, and tending to the ſubverſion of the conſtitution of the ſtate, without any neceſſity of diſcovering the facts.

The ſecond ſyſtem of the king's party is no leſs contrary to that of the favourers of the parliament. Theſe pretend, that the parliament being ſufficiently convinced by undeniable proofs of the king's deſign to eſtabliſh arbitrary power, and alter the conſtitution, thought themſelves obliged to uſe their utmoſt endeavours to prevent the execution of that project. This was their ſyſtem. The king's adherents form another entirely different. They call the king's pretended efforts to eſtabliſh an arbitrary government, a chimera, affirming what was termed abſolute power, was preciſely what the laws allowed the king. Indeed this was the principle of James I. Charles I. Charles II. and James II. Conſequently, they pretend, that to hinder the king from exerciſing ſuch a power, was oppoſing the laws of the land. But as it evidently appeared in the reign of Charles I. that the parliament and the people were not of this opinion, it was neceſſary to give ſome plauſible reaſons of the troubles cauſed by this diſpute in that reign. To this end, they have eſtabliſhed a ſyſtem, which with the principle of the king's abſolute power, is the baſis and foundation of whatever they have writ. And that is, the oppoſition king Charles met with, proceeded not from the people's belief that the king had exceeded the bounds of

his

his power, but from a project long ſince formed, to alter the conſtitution of the church. That the preſbyterians, authors of this project, knowing the king's ſtedfaſtneſs upon that head, judged there was no other way to execute it than by ruining the king, and depriving him of his prerogatives. That to attain their ends, they inſtilled into the reſt of the parliament and nation, groundleſs ſuſpicions and jealouſies, which they took care to cheriſh by all imaginable means, till they came at length to an entire breach, and to a war which proved ſo fatal to the king, and gave them opportunity to eſtabliſh preſbytery on the ruins of the church of England.

The fault in theſe two ſyſtems is, that neither contains the whole truth. The parliament's ſyſtem aſcribes all the proceedings of both houſes, ſolely to the deſign of redreſſing paſt grievances, and preventing an arbitrary government. It is however certain, that ſeveral members of both houſes joined, with that deſign, the intention of altering the government of the church, which could not be done but by the king's ruin. The ſyſtem of the royaliſts has the ſame fault; they impute to the parliament but one ſingle view, namely, to alter the government of the church; and counting as nothing the deſign to prevent the eſtabliſhing of abſolute power, they pretend it was only a contrivance or excuſe, to arrive with more eaſe to the principal end, which was to eſtabliſh preſbyterian government.

After having thus ſhown theſe two different ſyſtems, I think it needleſs to explain particularly in what manner Franklin, Nalſon, and the earl of Clarendon, apply theirs to the facts agreed on by all. I ſhall content myſelf with obſerving, that they omit no occaſion to combat the principles of the parliament, or to impute to them motives entirely different from thoſe they pretended to act by. Herein their aim was to hinder their readers from being poſſeſſed with a belief, that the parliament intended the good of their country, or had any other views than thoſe they aſcribe to them.

It is eaſy to perceive by what has been ſaid, how the hiſtorians of the reign of Charles I. may be different, nay, contrary, according as the authors have cloſely followed one or other of theſe two ſyſtems. And this is what has actually happened. The hiſtories of the two parties, though founded upon the ſame facts, are ſo oppoſite to one another, that a reader, who is not very attentive, or wants leiſure to examine what is propoſed to him, knows not where he is, when he ſees this diſagreement.

For my part, who am not engaged in either of the parties, and aim only at truth, I do not think myſelf obliged blindly to follow one or other of the two ſyſtems; but have eſtabliſhed a third, compoſed of both, by ſupplying their defects. I leave it to the reader to judge, whether it be ſufficiently coherent to give him a diſtinct knowledge of the affairs of this reign. If I ſometimes ſeem to incline to one ſide, it is becauſe I have no reaſon to ſwerve from the truth, and am perſuaded, that the king and the parliament were both very much in the wrong, though not always, nor on the ſame occaſions.

This has induced me to cite, throughout the hiſtory of this reign, ſcarce any author but Ruſhworth, though no reign has more writers. My reaſon was, becauſe Ruſhworth has formed no ſyſtem, but contented himſelf with furniſhing materials common to both parties, and of which both have made great uſe. But though I have carefully read and collated the works of Franklin, Nalſon, and the earl of Clarendon, I did not think proper to quote them, becauſe they ſcarce let fact or paper paſs without applying it to their ſyſtem, which is not always agreeable to mine. It would therefore very much embarraſs the reader, to quote, in proof of what I advance, facts or papers that are always followed with reaſonings, often directly contrary to my ſyſtem. I thought proper to ſay thus much in juſtification of the manner in which I have compoſed the hiſtory of this reign [c].

[c] It does not appear that Rapin ever ſaw Whitelock's Memorials, of which doubtleſs, he would have made great uſe, ſince they contain many things that never would have come to light, at leaſt, not without ſome preparation and adjuſtment. For as the author never intended his work for the public, nor meant otherwiſe by it than as a book for his memory and private uſe, he had not any temptations to prevaricate, nor can be well ſuſpected of a deſign to repreſent things otherwiſe than faithfully to himſelf. All is naked there, and the party more likely to ſuffer by the truth, than the truth to have any violence in favour of a party. His book is entitled, "Memorials of the Engliſh Affairs, or "an Hiſtorical Account of what paſſed "from the beginning of the Reign of "Charles I. to King Charles II's happy Reſtoration, containing the public Tranſactions Civil and Military, "together with the private Conſultations, and Secrets of the Cabinet." It is writ by way of diary, though ſo much was the author upon the ſtage during all the time of action, that the particulars of his diary go very far towards a perfect hiſtory of thoſe times.

Charles I. 1625.

CHARLES I. ſon and ſucceſſor of James I. was tinctured from his infancy with the principles concerning the regal authority and prerogative royal, which were ſo much inculcated by the deceaſed king during his life. He had the ſame favorite, the ſame council, the ſame miniſters, and all the places at court, and in the kingdom, continued in the hands of the duke of Buckingham's creatures. So, there was nothing new but the king's perſon. Charles's journey to Spain had ſo endeared the duke of Buckingham to him, that king James's affection for that favorite was nothing, as I may ſay, in compariſon of the new king's. It was thought, and it is not unlikely, if James had lived, he would have diſcarded the duke, with whom he was diſpleaſed for ſeveral reaſons. 1. Becauſe of the journey to Spain, of which he was the ſole adviſer, and which had expoſed the king to the cenſure of all Europe. 2. On account of the breach of the Spaniſh match without any juſt cauſe. 3. For the duke's engaging him, as it were againſt his will, to break with Spain. 4. For cauſing, by the prince's credit, and his intereſt with the parliament, the lord-treaſurer Middleſex to be condemned, in ſpite of the king himſelf, who did his utmoſt to ſave him, and even ſued the prince and the duke for his pardon, without being able to obtain it. Thus James died very ſeaſonably for the favorite, who, probably, to ſupport himſelf, muſt have ſet the prince at variance with his father, which might have had terrible conſequences. This raiſed ſtrong ſuſpicions of the duke, which were farther confirmed by his preſuming to apply a plaiſter to the king's ſide, and giving him, with his own hand, a potion to drink, without the advice of his phyſicians. Indeed, the duke could not be directly accuſed of haſtening the king his benefactor's death, by the remedies he gave him. But when the time and circumſtances of this unexpected death, cauſed by a tertian ague, not uſually very dangerous in the ſpring, were jointly conſidered, with the embaraſſments it delivered the favorite from, and the advantages it procured him, it was difficult not to ſuſpect him. And yet, on the other hand, when the new king was ſeen to have an entire affection for the duke, it could not be imagined that he doubted his innocence in that reſpect. However this be, the duke of Buckingham was the ſon's favorite,

Ruſhworth, t. i. p. 166.

Buckingham is favorite to the new king. Id. p. 165; 167. Annals.

Reaſons of K. James's diſpleaſure againſt Buckingham. Clarendon, tom. i. p. 20.

The duke is ſuſpected of K. James's death.

vorite, as he had been the father's, with ſtill greater power and credit than he had enjoyed in the foregoing reign. Charles I. 1625.

Charles I. at his acceſſion to the throne, formed two projects equally difficult to be executed. The firſt was, to wreſt from the emperor and the duke of Bavaria, both the Palatinates which had been taken from his brother-in law the elector Palatine. The ſecond, to carry the regal authority much higher than the king his father, or any of his predeceſſors had done. Theſe two projects, which ſeparately would, in all appearance, meet with great obſtacles, became almoſt impracticable, when joined together. Nevertheleſs, Charles believed they mutually ſupported each other: that under colour of the Palatinate war, he ſhould put the parliament upon a foot not to refuſe him any thing: that in time, he ſhould have both houſes at command, and after rendering himſelf independent, diſpoſe as he pleaſed of the riches of the kingdom, in executing his deſigns in favour of the king of Bohemia. As theſe two ſchemes are the ſubject of the firſt fifteen years of this reign, it will be neceſſary to ſet them in a clear light, that the ſequel may be the better underſtood. Charles's projects concerning arbitrary power and the Palatinate.

As to the [illegible] mean that of wreſting the two Palatinates from the [illegible] the duke of Bavaria, I think it needleſs [illegible]n ſaid in the reign of James I. It will be ſufficient to put the reader in mind, that it was by the intrigues of the prince and the duke of Buckingham, and by the dukes wrong information of what paſſed in Spain, that the parliament was induced to adviſe the king to break the treaties, which were in effect broken already, and promiſe to ſupport the war, which this breach would probably cauſe. This was the prince's and the duke's real aim in diſguiſing the truth. Afterwards the prince, when king, miſſed no opportunity to take advantage of the parliament's haſty advice and promiſe, as if the parliament had really been the ſole author of the breach, and prime cauſe of the war for the recovery of the Palatinate. King James was the firſt victim of theſe artifices. He was made to break a treaty which he had been labouring ſeven years, and to loſe the portion he had reaſon to expect for the prince's marriage with the infanta. He was engaged, againſt his will and inclination, in a war with the houſe of Auſtria[d], and, what he deemed the greateſt misfortune, compelled to have recourſe to a parliament, he that was ſo diſſatisfied with the two former, that, probably, he would never have called Concerning the Palatinate.

[d] King James, upon his death-bed, exhorted his ſon the prince, to take ſpecial care of the elector Palatine's children, and to endeavour to reſtore them to the eſtate and dignities of their father. Ruſhworth, tom. i. p. 155.

Charles I. 1625. another, had it not been for this breach. The duke of Buckingham was the second victim. As ſoon as the truth was known, he became the object of the public hatred, though, before its contrivances were diſcovered, he had been conſidered as a guardian-angel, for breaking the intended match. Finally, the prince having mounted the throne, reſolved to ſupport the war, in which the parliament had unadviſedly engaged. But becauſe he found not in the houſe of commons that readineſs to aſſiſt him which he expected, he diſſolved ſeveral parliaments merely for that very reaſon. This bred in the minds of his ſubjects jealouſy and diſcontent, which being inflamed by other cauſes, brought him in the end to the greateſt misfortune that can befal a king. Hitherto the prince's and the duke's real motive in breaking the treaty with Spain is unknown. It is not conceived how, after the loſs of the Palatinate, they could imagine it more eaſy to recover that country from the emperor and the duke of Bavaria, by force of arms, than by managing the king of Spain's friendſhip, by means of the marriage already concluded. But the uſe the prince, now become king, intended to make of this war, adviſed by the parliament, can be no ſecret. [illegible] to accuſtom the houſe of commons, under pretence [illegible] neceſſity of the war, to ſupply him in a few days [illegible] demanded, without conſidering any other [illegible] will evidently appear in the ſequel. But before I deſcend to the particulars of the ſecond ſcheme, it is neceſſary to premiſe ſome remarks on the ſubject.

The ſecond project with reſpect to arbitrary power.

I have ſhown in the reign of James I. that this firſt monarch of Great-Britain laboured, as long as his monarchy laſted, that is, while he was king of England, to extend the prerogative-royal. This was not only in ſome points, and on certain occaſions, but by general principles, which being once admitted, would, by neceſſary conſequences, cloath the ſovereign with an unlimited authority. Whatever had been ſaid by the moſt zealous ſticklers for the abſolute power of ſovereigns, he readily applied to the kings of England, without ever examining whether the power of a king admitted of degrees, according to the ſeveral ſtates, or according to the conſtitution of the government whereof he was head. And yet this was the point in queſtion. Otherwiſe, it followed from his principles, that the regal power was the ſame every where, and a king of Poland, for inſtance, ought to be as abſolute as a king of Perſia. This was in effect what he always ſuppoſed in the affair of Bohemia, and what hindered him to eſpouſe his ſon-in-law's quarrel. So long as he was

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ſatisfied with inſinuating ſuch maxims, by certain expreſſions Charles I.
in his public ſpeeches, the people, and even the parliament, 1625.
took no great notice of them. But when he began to practiſe the various conſequences which might thence naturally drawn, he met with ſtrong oppoſition, which obliged him to diſſolve ſeveral parliaments, becauſe they were not ſo apt as he wiſhed to imbibe his inſtructions. This oppoſition provoked him. Nay, he began to ſpeak plainer, and aſſert, that parliaments owed their being to the royal conceſſion, and that this conceſſion might be revoked when they became unworthy of it, juſt as a charter granted to a corporation on certain expreſs terms, might be taken away, if the terms were not complied with. But the parliament would never allow of ſuch a principle. It was readily agreed, that the king had power to call, prorogue, and diſſolve the parliament: nay, that he might forbear ſummoning it for ſome time. But that England might, or ought to be governed without parliaments, if the king thought proper, is what could not be allowed, much leſs that the king could diſpenſe with, or act contrary to the laws. And yet to this height would James I. have carried his prerogative, an ambiguous term, by which he meant an abſolute power, or ſomething very near it. But the Engliſh, for the moſt part, underſtood by that word, only a power in the perſon of the ſovereign, to command or act in matters not repugnant to the law, or for which the law had not provided, and certain acts of grace and favour, which the king might exerciſe with regard to ſome private perſons, provided theſe acts were not very prejudicial to the reſt of the nation. This was the conſtant occaſion of the quarrels between James I. and the parliament. It could not be ſaid exactly, wherein conſiſted the king's prerogatives, and the people's privileges, becauſe there had never been any expreſs determination on that ſubject. Thoſe kings, who were reckoned the wiſeſt and moſt prudent, avoided the rocks ſuch ſort of diſputes, which can only breed hatred and animoſity between the king and people. On the other hand, former parliaments choſe rather to ſee the prerogative-royal ſtretched ſometimes beyond its due bounds, than debate ſuch difficult points, which in caſe of obſtinacy on both ſides, muſt have been decided by arms, ſince there was no higher tribunal to appeal to. Beſides, ſince Richard II. whoſe attempt coſt him his crown and life, there had been no king who had endeavoured to carry the prerogative-royal ſo far as to claim a power to act directly contrary to the laws. If there were any who, on ſome occaſions, attempted to go beyond bounds, the parliaments were

Charles I. under no concern, for one of these three reasons: 1. Because
1625. it was in things of little importance. 2. Because, having a perfect confidence in their sovereign, they believed he would not make an ill use of their indulgence. 3. Because they saw the king's aim and motive were advantagious, or at least not very prejudicial to the nation.

But James I. was no sooner on the throne of England, but questions about the prerogative-royal became frequent and absolutely necessary. That monarch was continually endeavouring to establish principles, the consequences whereof tended to no less than to subvert the constitution of the government. I shall relate some that have already appeared in the history of his reign, but which it is the more necessary to repeat here, as Charles I. exactly followed his father's steps, and as it is not possible to have too clear an idea of these things, since they are the chief subject of this reign.

From the principle that the parliament owed its being to the concession of the kings, and that this concession might be revoked, it followed of course, that the king might govern without a parliament, and consequently, tax the people as he thought proper, for the support of the government. From the principle, that the king was above the laws, it necessarily followed, that there was no security for the subjects, as to honour, fortunes, liberty, and life itself, which were at the king's disposal. From the principle, that the parliament had no right to concern themselves with the king's affairs when their advice was not asked, it could not but be inferred, that the king was to be suffered to do whatever he pleased, even things most destructive to the nation. From the principle, that to complain of the administration, was want of respect to the king, it necessarily followed, that the parliament could take no grievances into consideration, nor make any complaints, since grievances are generally acts of injustice committed by the king or his ministers. From the principle, that the parliament had at most but a right to represent the grievances to the king, after which, the redress was patiently to be expected from the king himself, it followed, that the king might harrass his subjects at his pleasure, without being obliged to redress their sufferings, any farther than he thought convenient. From the principle, that to dispute the extent of his prerogative, was wounding the king in the most sensible part, the consequence must have been, that the prerogative was without bounds, or that it could be limited only by the king's wisdom and goodness. All these principles, as it is easy to perceive, tended to establish a despotic power. Had the king been

A. Vandyke p.

Vertue .

been satisfied with doing now and then some extraordinary act, founded upon any of these principles, it might have been thought of no consequence. But he was [illegible], upon all occasions, to endeavour to instill these principles into the minds of his subjects, and to establish them upon instances taken from the conduct of some of his predecessors. He himself was seen to draw from thence by his actions the most extensive consequences, to fill the kingdom with monopolies, to compel his subjects to lend or give him money, to dissolve the parliaments for not allowing his principles, to imprison such members as ventured to speak freely, and even to declare publicly, he would call no more parliaments. There was therefore no medium: his pretensions were either to be complied with, or opposed with open force. Charles I. 1625.

James I. had the happiness to die before this division was carried any farther. The breach of the Spanish match served to reconcile the king and parliament to each other. The king perceived he could not proceed without parliaments, and the people judged that while the king was engaged in a war with the house of Austria, he would be forced to have a regard to the liberties of the nation and the privileges of the parliament. Thus both sides seemed inclined to a reconciliation, and to forget all occasions of complaint.

James being dead, Charles I. his son and successor, who had greatly improved by his instructions, mounted the throne, possessed with the same principles. But as he was young and his passions strong, he could put no constraint upon himself, nor think of managing the affection of the parliament. He soon discovered by what maxims he meant to proceed in the government of his dominions. He not only refused to redress the grievances introduced during his father's reign, but also added others more intolerable. He affected to let his subjects see, not only that their grievances touched him not, but that it was an offence to petition a redress. In a word, he very plainly intimated, both in his speeches and conduct, that he looked upon parliaments, only as assemblies solely designed to supply him with money, and in case of refusal, he could proceed without their assistance. Accordingly, he dissolved several parliaments, because they did not readily grant the sums he demanded: offered violence to many members; and exacted from his subjects what money he wanted, by forced loans or taxes imposed by his own authority. This ought not to seem strange, since besides the lessons taught him by his father, he had the same favourite, the same ministers, and the same council.

Charles I. 1625.

It is my deſign to ſhow all theſe things clearly and diſtinctly, not by reaſonings and conſequences, but by undeniable facts, by authentic vouchers of what I ſhall advance, and laſtly, by the king's own conduct, which his moſt zealous friends have no otherwiſe undertaken to juſtify, than by an affected ſilence, or at leaſt, by a very ſlight account of the firſt fifteen years of his reign. My ſole aim in thus inlarging on theſe things is, to enable the reader to underſtand the true cauſes of the war which afterwards afflicted the kingdom.

James's funeral.

As ſoon as the deceaſed king's funeral was ſolemnized [e], Charles ſpeedily ſent eight thouſand men to Plymouth [f], to be embarked for an expedition to Spain. As he had but little money in his coffers, the charge of coat and conduct was ordered to be diſburſed by the country, and the country to be repaid out of the exchequer at a more convenient ſeaſon. This was done after the precedent of former times, though the cuſtom had now been long diſuſed. Theſe troops having committed great diſorders in their march, the king granted a commiſſion for martial-law to puniſh the offenders [g]. This was looked upon as an innovation, which took from the uſual judges the cognizance of crimes committed by the ſoldiery, and yet, in general, was not much conſidered.

Troops ſent to Plymouth at the charge of the counties. Ruſhworth. t. i. p. 168. Annals.

A commiſſion for martial law.

The king's marriage. Ruſhworth, t. i. p. 169, 170. May.

The king's marriage having been concluded in his father's life-time, was ſolemnized at Paris with great magnificence, on a theatre erected before the church of Notre-Dame, the duke of Chevreuſe performing the office of proxy for the king of England. Preſently after, the duke of Buckingham was ſent into France to conduct the queen to the king her ſpouſe. She arrived June 12, at Dover, where the king met her the next morning, and that evening the marriage was conſummated at Canterbury [h]. The 26th of the ſame month the

[e] He was removed on April 23. from Theobald's to London, and buried May 7. in Henry VII's chapel. His ſon, and ſucceſſor walked as chief mourner, being ſupported by the earls of Arundel and Pembroke. Sandf. p. 560. Ruſhworth, tom I. p. 167.

[f] The author, by miſtake, ſays Portſmouth. There were twelve thouſand raiſed in all. Two thouſand were ſent to Holland. Idem. p. 168.

[g] The occaſion of this commiſſion was not ſo much the diſorders of theſe troops, as thoſe committed by the army king James ſent to Calais, under the command of count Mansfeldt. The remembrance whereof was the cauſe of king Charles's appointing now the martial law to be in force. It ſeems, this and the point of coat and conduct money, occaſioned great debates among the judges. Whitlock, p. 1.

[h] When ſhe landed, ſhe ſent to his majeſty not to come till the morrow, becauſe ſhe had been indiſpoſed at ſea. So it was not till next day that the marriage was conſummated. Ruſhworth, tom. I. p. 170.

king

king and queen made their entry into London, and two days after the parliament met. The king made the following speech to both houses at the opening of this parliament. Charles I. 1625. 1. Parliament. June 18.

"My lords and gentlemen,

"I Thank God, that the buſineſs to be treated on at this time is of ſuch a nature, that it needs no eloquence to ſet it forth; for I am neither able to do it, neither doth it ſtand with my nature to ſpend much time in words. It is no new buſineſs, being already happily begun by my father of bleſſed memory, who is with God; therefore it needeth no narrative: I hope in God you will go on to maintain it, as freely as you adviſed my father to do it. It is true, he may ſeem to ſome to have been ſlack to begin ſo juſt and ſo glorious a work; but it was his wiſdom that made him loth to begin a work, until he might find a means to maintain it; but after that he ſaw how much he was abuſed in the confidence he had with other ſtates, and was confirmed by your advice to run the courſe we are in, with your engagement to maintain it. I need not preſs to prove how willingly he took your advice; for the preparations that are made are better able to declare it, than I to ſpeak it. The aſſiſtance of thoſe in Germany, the fleet that is ready for action, with the reſt of the preparations, which I have only followed my father in, do ſufficiently prove, that he entered into this action. The king's ſpeech to his firſt parliament. Ruſhworth, v. i. p. 214.

"My lords and gentlemen, I hope that you do remember that you were pleaſed to employ me to adviſe my father to break off thoſe two treaties that were on foot; ſo that I cannot ſay, that I came hither a free unengaged man. It is true, I came into this buſineſs willingly and freely, like a young man, and conſequently raſhly; but it was by your intereſt, your engagement: So that though it were done like a young man, yet I cannot repent me of it, and I think none can blame me for it, knowing the love and fidelity you have born to your king, having myſelf likewiſe ſome little experience of your affections. I pray you remember, that this, being my firſt action, and begun by your advice and entreaty, what a great diſhonour it were to you and me, if this action, ſo begun, ſhould fail, for that aſſiſtance you are able to give me. Yet knowing the conſtancy of your love both to me and this buſineſs, I needed not to have ſaid this, but only to ſhow what care

Charles I. 1625. " and ſenſe I have of your honours and mine own. I muſt " entreat you likewiſe to conſider of the times we are in, " how that I muſt adventure your lives [i], (which I ſhould " be loth to do) ſhould I continue you here long; and you " muſt vehemently the buſineſs, if you be ſlow in your reſolu- " tions. Wherefore I hope you will take ſuch grave coun- " ſel, as you will expedite what you have in hand to do: " which will do me and yourſelves an infinite deal of ho- " nour: you, in ſhewing your love to me; and me, that I " may perfect that work which my father hath ſo happily " begun.

" Laſt of all, becauſe ſome malicious men may, and as " I hear, have given out, that I am not ſo true a keeper " and maintainer of the true religion that I profeſs; I aſſure " you, that I may with St. Paul ſay, that I have been " trained up at Gamaliel's feet: and although I ſhall never " be ſo arrogant as to aſſume unto myſelf the reſt, I " ſhall ſo far ſhow the end of it, that all the world may ſee, " that none hath been, nor ever ſhall be more deſirous to " maintain the religion I profeſs, than I ſhall be.

" Now becauſe I am unfit for much ſpeaking, I mean to " bring up the faſhion of my predeceſſors, to have my lord " keeper ſpeak for me in moſt things: therefore I have " manded him to ſpeak ſomething unto you [illegible] time, " which is more for formality, than any great matter he " hath to ſay unto you."

Rushworth. t. i. p. 172. Hacket, part 2. p. 9.

Then the lord keeper Williams [k] declared, " That the " king's main reaſon of calling the parliament, beſides the " beholding of his ſubjects faces, was to mind them of the " great engagements for the recovery of the Palatinate, im- " poſed on his majeſty by the late king his father, and by " themſelves, who broke off the two treaties with Spain. " Alſo to let them underſtand, that the ſucceeding treaties " and alliances, the armies ſent into the Low-countries, " the repairing of the forts, and the fortifying of Ireland, do " all meet in one centre, the Palatinate; and that the ſub- " ſidies granted in the laſt parliament are herein already " ſpent, whereof the account is ready, together with as " much more of the king's own revenue." His lordſhip fur- ther commended three circumſtances.

[i] By reaſon of the plague. Rapin.

[k] Rapin, after Ruſhworth and Franklin, ſays it was the lord keeper Coventry, but Williams was not diſ- placed till October 25. See Hacket, part. 2. p. 9, 27. Philips, p. 106, 182.

" Firſt,

" First, the time; all Europe being at this day at the " pool of Bethesda, the first stirring of the water must be " laid hold on; wherefore his majesty desires them to be- " stow this meeting on him, or rather on their affections; and " the next shall be theirs, as soon, and as long as they " please for domestic business. Charles I. 1625.

" Secondly, supply, if subsidies be thought too long and " backward, his majesty desires to hear, and not to pro- " pound the way.

" Thirdly, the issue of action; which being the first, " doth highly concern his Majesty's honour and reputation, " for which he relies upon their loves, with the greatest " confidence that ever king had in his subjects; witness his " royal poesy, AMOR CIVIVM REGIS MVNIMENTVM; and " he doubts not, but as soon as he shall be known in Eu- " rope to be their king, so soon shall they be known to be " a loving and loyal nation to him."

Though the king affirmed in his speech, that no prince was ever more desirous to maintain the religion he professed, the parliament does not seem to have fully believed it, since, at their first, both houses joined in presenting to him a petition against recusants. The king returned a very gracious answer, saying, he was very glad to see their zeal for religion, and was ready to concur with them in whatever they should propose on that head. He deferred however answering each particular article of the petition, till he had examined it. The parliament petition the king against recusants. The king's general answer. Rushworth. t. i. p. 173.

Richard Montague, a clergyman, had lately printed a book, entitled, 'An Appeal to Cæsar,' wherein were several propositions tending to the disturbance of church and state [1]. It was complained of to the commons, who bringing the author to the bar of their house, and examining him, thought proper to refer him to the archbishop of Canterbury. The archbishop, who was looked upon with no good eye at Montague is cited on account of his book. Rushworth. Ibid. Annals, p. 109. Coke, p. 199.

[1] Our author seems here to confound two distinct things. Montague (in 2 Jac.) published a book; which he called, A new Gag for an old Goose, being an answer to a popish book, entitled A Gag for the new Gospel; and for this book it was that he was questioned by the parliament, and committed to the archbishop; who dismissed him with an admonition. Afterwards the bishops of the Armenian party consulting the promulgation of the five articles condemned by the synod of Dort, concluded, that Montague should publish his appeal to Cæsar, at first attested by their joint authorities, which they afterwards withdrew by subtilty. However, the book was printed and dedicated to king Charles. The house appointed a committee to examine the errors therein, and thanked the archbishop for his admonition formerly to the author, and voted his books to be contrary to the articles established by the parliament, and took bond for his appearance. Rushworth, tom. I. p. 173.

court,

Charles I. 1625.

court, because he was suspected of being a friend to the puritans, contented himself with exhorting him to write no more upon such subjects. The proceedings of the commons displeased the king, for Montague being one of his chaplains, he pretended the bringing him to their bar was an incroachment upon his prerogative. He expressed his displeasure with the commons, and took occasion to bring the cause before the council. Every one suspected, that as Montague's book contained an arminian doctrine, Laud, bishop of St. David's [m], the king's most intimate counsellor for religious affairs, had done this, to stop the prosecution. Laud was considered by many as the head and protector of the arminians, who were now very numerous in the kingdom. He had insinuated himself into Buckingham's favour, and by that means into the king's, who readily followed his counsels in the affairs of religion.

The king brings the cause before the council. Rushworth. t. i. p. 174.

Laud reckoned the head of the arminians. Coke.

The commons grant two subsidies. Rushworth. t. i. p. 174.

The displeasure expressed by the king against the commons, hindered not the house from granting him two subsidies. The king accepted them graciously, but withal intimated, this supply was far short of what was necessary for the war [n] to which his father was advised by the parliament. The act for the two subsidies was no sooner passed, than the king adjourned the parliament to Oxford, to meet again the first of August following, by reason of the plague which raged in London.

Six ships lent the French king to serve against Rochel. ibid. Annals, p. 109. Coke, p. 190, &c.

King James, a little before his death, promised to lend the king of France five or six ships to be employed against the Genoese. At least they were borrowed on that pretence. But afterwards, Lewis XIII. wanting these ships for the siege of Rochel, prevailed with Charles I. by Buckingham's means, that he might employ them where he pleased, and accordingly they were sent to Dieppe, under the command of vice-admiral Pennington [o]. The masters or commanders of these ships discovering they were to go against Rochel, weighed anchor and sailed back to England. Pennington informing the duke of Buckingham of it, received an express order, confirmed by another from the king himself, to return to Dieppe with the ships, and put them into the hands of the French, which was done accordingly. But the mariners all deserted, utterly refusing to serve against Rochel.

[m] Rapin, by mistake, says Bath and Wells, which he was not yet.

[n] The charges of which, by computation, amounted to 700,000 l. a year. Rushworth, tom. I. p. 174.

[o] The Vantguard, a large man of war, with seven other merchant-ships of great burthen and strength. Ibid. Coke, p. 190.

This

This affair made great noiſe at Oxford, where the parliament was re-aſſembled. Buckingham's ill conduct in this and other reſpects was loudly complained of in the houſe of commons. It was ſaid, the money granted by the parliament to the late king had been miſapplied, and put to uſes very different from thoſe it was intended for: that the ſeas were ſo neglected, that the Corſairs had done great damage to the Engliſh merchants: that popery and arminianiſm were countenanced by a ſtrong party in the kingdom. Neil biſhop of Wincheſter [p], and Laud biſhop of St. David's were chiefly looked upon as the heads and protectors of the arminians [q], nay, as favourers of popery, by reaſon of their rigid and paſſionate zeal for all the ceremonies of the church of England, even for ſuch as ſeemed the leaſt neceſſary. This zeal appeared to many as myſterious as uncommon, and cauſed them to ſuſpect, that the two prelates, under colour of maintaining religion, had formed a project to reſtore popery. They could not imagine, that men ſhould have ſo ſtrong an attachment to things in themſelves of ſo little moment without ſome hidden deſign. Wherefore Mr. Montague was ſummoned a ſecond time before the houſe of commons [r], and ſeverely reb[illegible]ded.

Charles I. 1625.

Complaints againſt Buckingham, Auguſt 1. Ruſhworth. v. i. p. 176.

And the biſhops Neile and Laud.

Montague cenſured.

Mean

[p] He was now biſhop of Durham, and not of Wincheſter, till about 1627.

[q] Rapin, as well as moſt of our writers, eſpecially thoſe of the puritan party, ſeem to confound two things, which have no manner of relation to each other, viz. arminianiſm and high-church-principles. The arminian doctrine, condemned by the ſynod of Dort, held in 1618, was in ſubſtance reduced to theſe five articles. I. God does not in an arbitrary manner predeſtinate any perſon to be ſav[illegible] or damned. II. Chriſt died for all men, that is, all are partakers of the benefits of Chriſt's paſſion, who ſincerely perform the goſpel-terms of faith and repentance. III. How neceſſary ſoever grace may be towards our good actions, yet, IV. It is not irreſiſtible, that is, we are ſtill free-agents; conſequently, V. The faithful may finally fall away, or depart from a ſtate of grace. Now nothing can be more evident, than that a man may embrace all theſe opinions, without being one jot the more a friend to popery or arbitrary power. Wherefore, though the firſt aſſertors of arminianiſm happened likewiſe to be zealous ſticklers for ſomething like a deſpotic power in the king, yet is the one no conſequence at all of the other, as abundance of our hiſtorians would inſinuate. Doubtleſs, Laud, Neile, Montague, and the reſt, who were for ſetting the king above the laws, would have been of that mind, whether they had been arminians or not. Even at this time, the five articles above, which are now generally received in the church of England, are believed by thouſands, who are not for carrying the authority of the king or church beyond its due bounds. The reaſon why arminianiſm was condemned in the reigns of James I. and Charles I. was, becauſe our articles and homilies (in the points above-mentioned) were generally underſtood in a calviniſtical ſenſe.

[r] According to the condition of his bond. Montague's cauſe was recommended to the duke of Buckingham,

by

Charles I. 1625. Mean while, the king ſeeing the parliament had ſpent the three or four firſt days of their ſeſſion in talking of grievances, without any mention of the money he expected for ſupporting the war, ſent for both houſes, and in Chriſt-church-hall ſpoke to them in the following manner:

The king ſends for the two houſes.

"My lords, and you of the commons;

The king's ſpeech to both houſes Auguſt 4. Ruſhworth. t. 1. p. 177. Annals, p. 1102.

"WE all remember that from your deſires and advice, "my father, now with God, brake off theſe two "treaties with Spain that were then in hand: well you then "foreſaw, that as well for regaining my diſpoſſeſſed bro- "ther's inheritance, as home defence, a war was likely to "ſucceed; and that as your counſels had led my father in- "to it, ſo your aſſiſtance in a parliamentary way to purſue "it ſhould not be wanting. That aid you gave him by ad- "vice, was for ſuccour of his allies, the guarding of Ireland, "and the home part, ſupply of munition, preparing and "ſetting forth of his navy. A council you thought of, and "appointed for the war, and treaſurers for iſſuing of the "monies: and to begin this work of your advice, you gave "three ſubſidies, and as many fifteens, which with ſo "were levied, and by direction of that council of [illegible] "which the preparation of this navy was not the leaſt) diſ- "burſed.

"It pleaſed God at the entrance of this preparation (by "your advice begun) to call my father to his mercy, where- "by I entered as well to the care of your deſign, as his "crown. I did not then, as princes do of cuſtom and for "mality, re-aſſemble you, but that by your further advic "and aid, I might be able to proceed in that which by you "counſels my father was engaged in. Your love to m "and forwardneſs to further thoſe affairs, you expreſſed b "a grant of two ſubſidies yet ungathered; although I mu "aſſure you, by myſelf and others upon credit taken u "and aforehand diſburſed, and as far ſhort, as yet to f "forth that navy now preparing, as I have lately the eſt "mate of thoſe of care, and who are ſtill employed abou "it, whoſe particular of all expences about this preparatio "ſhall be given you, when you pleaſe to take an accour "of it."

by Buckeridge biſhop of Rocheſter, Howſon biſhop of Oxford, and Laud of St. David's, who obſerved, that learned men ought to be left to abound in their own ſenſe, it being the great fault of th council of Trent, to require a ſubſcri tion to ſchool-opinions, &c. See Ruſ worth, tom. i. p. 176.

Whe

When the king had done ſpeaking, the lord Conway and Sir John Coke, ſecretaries of ſtate, made ſpeeches, the deſign whereof, like that of the king's, was to demonſtrate the abſolute neceſſity the commons were under, to grant his majeſty a large ſum for the war wherein he was engaged. They forgot not to repeat that the war was begun by the late king, by the advice of both houſes of parliament, for this was what the king conſidered as an unanſwerable reaſon. But the parliament being now better informed how the king and the duke procured that advice from the former parliament, theſe two ſpeeches produced no great effect. The commons being returned to their houſe, proceeded to examine grievances, and in the examination divers complaints were made againſt the duke of Buckingham. It was alſo complained, that popery was not only tolerated, but even countenanced, contrary to the king's expreſs promiſe: That pardons were granted to recuſants, ſigned by the lord Conway ſecretary of ſtate, who pretended to be authorized by the king, and that theſe pardons ſtopped the courſe of juſtice, and the execution of the laws. Whereupon the king thought himſelf obliged to return poſitive anſwers to the petition preſented to him at London by the two houſes, to which he had hitherto only anſwered in general. It is abſolutely neceſſary to inſert the petition, with the king's anſwers to each article, that the reader may the better judge how the king's promiſes were afterwards performed.

Charles I. 1625.

The ſecretaries ſpeeches Ruſhworth, t. i. p. 178.

The commons complaints with reſpect to religion. Id. p. 179.

Id. p. 180. Annals.

Petition againſt recuſants, with the king's anſwers to each article.

" Moſt gracious ſovereign,

" IT being infallibly true, that nothing can more eſtabliſh the throne, and aſſure the peace and proſperity of the people, than the unity and ſincerity of religion; we your moſt humble and loyal ſubjects, the lords ſpiritual and temporal, and commons of this preſent parliament aſſembled, hold ourſelves bound in conſcience and duty to repreſent the ſame to your ſacred majeſty, together with the dangerous conſequences of the increaſe of popery in this land, and what we conceive to be the principal cauſes thereof, and what may be the remedies.

Petition of both houſes againſt poiſh recuſants preſented to the king at Weſtminſter, anſwered by him at Oxford. Ruſhworth, t. i. p. 181.

The

The dangers appear in theſe particulars.

"I. In their deſperate ends, being, both the ſubverſion "of the church and ſtate, and the reſtleſſneſs of their ſpirits "to attain theſe ends; the doctrine of their teachers and "leaders, perſuading them that therein they do God good "ſervice.

"II. Their evident and ſtrict dependency upon ſuch foreign "princes, as no way affect the good of your majeſty and "this ſtate.

"III. The opening a way of popularity to the ambition "of any who ſhall adventure to make himſelf head of ſo "great a party."

The principal cauſe of the increaſe of papiſts.

"I. The want of the due execution of the laws againſt "jeſuits, ſeminary-prieſts, and popiſh recuſants; occaſioned "partly by the connivency of the ſtate, partly by defects in "the laws themſelves, and partly by the manifold abuſe of "officers.

"II. The interpoſing of foreign princes by their ambaſſa-"dors and agents in favour of them.

"III. Their great concourſe to the city, and frequent con-"ferences and conventicles there.

"IV. The open and uſual reſort to the houſes and chapels "of foreign ambaſſadors.

"V. The education of their children in ſeminaries, and "houſes of their religion in foreign parts, which of late "have been greatly multiplied and enlarged for the enter-"tainment of the Engliſh.

"VI. That in ſome places of your realm, your people "be not ſufficiently inſtructed in the knowledge of true re-"ligion.

"VII. The licentious printing and diſperſing of popiſh and "ſeditious books.

"VIII. The employment of men ill-affected in religion "in many places of government, who do, ſhall, or may, "countenance the popiſh party."

The

Charles I. 1625.

The remedies againſt this outragious and dangerous diſeaſe we conceive to be theſe enſuing.

"I. That the youth of this realm be carefully educated "by able and religious ſchool-maſters, and they to be en- "joined to catechize and inſtruct their ſcholars in the grounds "and principles of true religion. And whereas by many "complaints from divers parts of the kingdom, it doth plainly "appear, that ſundry popiſh ſcholars, diſſembling their re- "ligion, have craftily crept in, and obtained the places of "teaching in divers counties, and thereby infected and per- "verted their ſcholars, and ſo fitted them to be tranſported "to the popiſh ſeminaries beyond the ſeas; that therefore "there be great care in choice and admitting ſchool-maſters, "and that the ordinaries make diligent enquiries of their de- "meanors, and proceed to the removing of ſuch as ſhall be "faulty, or juſtly ſuſpected."

His majeſty's anſwer.

"This is well allowed of; and for the better performance "of what is deſired, letters ſhall be written to the two arch- "biſhops, and from them, letters to go to all the ordina- "ries of their ſeveral provinces to ſee this done; the ſeveral "ordinaries to give account of their doings herein to the "archbiſhops reſpectively, and they to give account to his "majeſty of their proceedings herein."

"II. That the antient diſcipline of the univerſities be re- "ſtored, being the famous nurſeries of literature and virtue."

Anſwer. "This is approved by his majeſty, and the chan- "cellor of each univerſity ſhall be required to cauſe due exe- "cution of it."

"III. That ſpecial care be taken to enlarge the word of "God, throughout all the parts of your majeſty's dominions, "as being the moſt powerful means for planting of true re- "ligion, and rooting out of the contrary: To which end, "among other things, let it pleaſe your majeſty to adviſe "your biſhops, by fatherly intreaty and tender uſage, to re- "duce to the peaceable and orderly ſervice of the church, "ſuch able miniſters as have been formerly ſilenced, that "there may be a profitable uſe of their miniſtry in theſe "needful and dangerous times; and that non-reſidency, "pluralities, and commendams, may be moderated. Where "we cannot forbear, moſt humbly to thank your majeſty for "diminiſhing the number of your own chaplains; not doubt-

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Charles I. 1625. "ing of the like princely care for the well-beſtowing of the reſt of your benefices, both to the comfort of the people, and the encouragement of the univerſities; being full of grave and able miniſters unfurniſhed of livings."

Anſwer. "This his majeſty likes well, ſo as it be applied to ſuch miniſters as are peaceable, orderly, and conformable to the church-government. For pluralities and non-reſidencies, they are now ſo moderated, that the archbiſhops affirm, there be now no diſpenſation for pluralities granted; nor no man now is allowed above two benefices, and thoſe not above thirty miles diſtant: And for avoiding non-reſidence, the canon in that caſe provided, ſhall be duly put in execution. For commendams, they ſhall be ſparingly granted, only in ſuch caſe where the exility and ſmallneſs of the biſhopric requireth. Alſo his majeſty will cauſe that the benefices belonging to him ſhall be well beſtowed. And for the better propagating of religion, his majeſty recommendeth to the houſe of parliament, that care may be taken, and proviſion made, that every pariſh ſhall allow a competent maintenance for an able miniſter; and that the owners of parſonages impropriate would allow to the vicars, curates, and miniſters in villages and places belonging to their parſonage, ſufficient ſtipend and allowance for preaching miniſters."

"IV. That there may be ſtrict proviſion againſt tranſporting of Engliſh children to the ſeminaries beyond the ſeas, and for the recalling of them who are already there placed, and for the puniſhment of ſuch your ſubjects as are maintainers of thoſe ſeminaries, or of the ſcholars; conſidering, that beſides the ſeducing of your people, great ſums of money are yearly expended upon them, to the impoveriſhing of this kingdom."

Anſwer. "The law in this caſe ſhall be put in execution: And farther, there ſhall be letters written to the lord treaſurer, and alſo to the lord admiral, that all the ports of this realm, and the creeks and members thereof be ſtrictly kept, and ſtrait ſearches made to this end: A proclamation ſhall be, to recal both the children of noblemen, and the children of any other men, and they to return by a day; alſo maintainers of ſeminaries of ſcholars there, ſhall be puniſhed according to law."

"V. That no popiſh recuſant be permitted to come within the court, unleſs your majeſty be pleaſed to call him upon ſpecial occaſion, agreeable to the ſtatute of 3 Jac. And whereas your majeſty for the preventing of apparent

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"miſchiefs both to your majeſty and the ſtate, hath in your princely wiſdom taken order, that none of your natural-born ſubjects, not profeſſing the true religion, as by law eſtabliſhed, be admitted into the ſervice of your royal-conſort the queen. We give your majeſty moſt humble thanks, and deſire that your order herein may be obſerved." Charles I. 1625.

Anſwer. "If his majeſty ſhall find, or be informed of any concourſe of recuſants to the court, the law ſhall be ſtrictly followed: And his majeſty is pleaſed, that by proclamation the Britiſh and Iriſh ſubjects ſhall be put in the ſame caſe. And as his majeſty hath provided in his treaty with France, ſo his purpoſe is to keep it, that none of his ſubjects ſhall be admitted into his ſervice, or into the ſervice of his royal conſort the queen, that are popiſh recuſants."

"VI. That all the laws now ſtanding in force againſt jeſuits, ſeminary prieſts, and others, having taken orders by authority derived from the ſee of Rome, be put in due execution. And to the intent they may not pretend to be ſurprized, that a ſpeedy and certain day be prefixed by your majeſty's proclamation, for their departure out of this realm, and all other your dominions, and not to return upon the ſevereſt penalties of the laws now in force againſt them; and that all your majeſty's ſubjects may be thereby admoniſhed, not to receive, comfort, entertain, or conceal any of them, upon the penalties which may be lawfully inflicted: And that all ſuch papiſts, jeſuits, and recuſants, who are and ſhall be impriſoned for recuſancy, or any other cauſe, may be ſo ſtrictly reſtrained, as that none ſhall have conference with them, thereby to avoid the contagion of their corrupt religion: And that no man that ſhall be ſuſpected of popery, be ſuffered to be a keeper of any of his majeſty's priſons."

Anſwer. "The law in this caſe ſhall be put in execution, and a proclamation ſhall be to the effect deſired; and ſuch reſtraint ſhall be made, as is deſired, and no man that is juſtly ſuſpected of popery, ſhall be ſuffered to be a keeper of any of his majeſty's priſons."

"VII. That your majeſty be pleaſed to take ſuch order as to your princely wiſdom ſhall be expedient, that no natural born ſubject, or ſtrange biſhops, nor any other by authority from the ſee of Rome, confer any eccleſiaſtical orders, to exerciſe any eccleſiaſtical function whatſoever, toward or upon your majeſty's natural ſubjects within your dominions."

Charles I. 1625.

Anſwer. "This is fit to be ordered according as is provided, and it ſhall be ſo publiſhed by proclamation."

"VIII. That your majeſty's learned council may receive "order and commandment, to conſider of all former grants "of recuſants lands, that ſuch of them may be avoided as "are made to the recuſants uſe or intereſt, out of which the "recuſant receiveth any benefit, which are either void or "voidable by the law."

Anſwer. "The king will give order to his learned coun"cil to conſider of the grants, and will do according as is "deſired."

"IX. That your majeſty will be likewiſe pleaſed ſtrictly "to command all your judges and miniſters of juſtice, ec"cleſiaſtical and temporal, to ſee the laws of this realm "againſt popiſh recuſants, to be duly executed; and namely, "that the cenſure of excommunication be declared and cer"tified againſt them; and that they be not abſolved upon "public ſatisfaction by yielding to conformity."

Anſwer. "His majeſty leaves the laws to their courſe, "and will order in the point of excommunication as is de"ſired."

"X. That your majeſty will be pleaſed to remove from "places of authority and government, all ſuch perſons as "are either popiſh recuſants, or according to direction of "former acts of ſtate, to be juſtly ſuſpected."

Anſwer. "This his majeſty thinks fit, and will give order "for it."

"XI. That the preſent order be taken for diſarming all "popiſh recuſants, legally convicted, or juſtly ſuſpected, ac"cording to the laws in that behalf, and the orders taken by "his majeſty's privy-council upon reaſon of ſtate."

Anſwer. "The laws and acts in this caſe ſhall be follow"ed, and put in due execution."

"XII. That your majeſty be alſo pleaſed in reſpect to "the great reſort of recuſants, to and about London, to "command forthwith, upon pain of your indignation, and "ſevere execution of the laws, that they retire themſelves "to their ſeveral countries, there to remain confined within "five miles of their places."

Anſwer. "For this the laws in force ſhall be forthwith "executed."

"XIII. And whereas your majeſty hath ſtrictly command"ed and taken order, that none of the natural born ſubjects "repair to the hearing of maſſes, or other ſuperſtitious ſer"vice at the chapels, or houſes of foreign ambaſſadors, or

"in

" in any other places whatſoever; we give your majeſty moſt Charles I.
" humble thanks, and deſire that your order and command- 1625.
" ment therein may be continued and obſerved, and that the
" offenders herein may be puniſhed according to the laws."

Anſwer. " The king gives aſſent thereto; and will ſee " that obſerved which herein hath been commanded by him."

" XIV. That all ſuch inſolencies, as any that are popiſhly " affected, have lately committed, or ſhall hereafter commit, " to the diſhonour of our religion, or to the wrong of the " true profeſſors thereof, be exemplarily puniſhed."

Anſwer. " This ſhall be done as is deſired."

" XV. That the ſtatute of 1 Eliz. for the payment of " twelve pence every Sunday, by ſuch as ſhall be abſent " from divine ſervice in the church, without a lawful ex- " cuſe, may be put in due execution, the rather, for that " the penalty by law is given to the poor, and therefore not " to be diſpenſed withal."

Anſwer. " It is fit that this ſtatute be executed, and the " penalties ſhall not be diſpenſed withal."

" XVI. Laſtly, That your majeſty would be pleaſed to " extend your princely care alſo over the kingdom of Ireland, " that the like courſes may be there taken for the reſtoring " and eſtabliſhing of true religion."

Anſwer. " His majeſty's cares are, and ſhall be, extended " over the kingdom of Ireland; and he will do all that a " religious king ſhould do for the reſtoring and eſtabliſhing " of true religion there."

" And thus (moſt gracious ſovereign) according to our " duty and zeal to God and religion, to your majeſty and " your ſafety, to the church and commonwealth, and their " peace and proſperity, we have made a faithful declaration " of the preſent eſtate, the cauſes and remedies of this en- " creaſing diſeaſe of popery; humbly offering the ſame to your " princely care and wiſdom. The anſwer of your majeſty's " father, our late ſovereign of famous memory upon the like " petition, did give us great comfort of reformation; but " your majeſty's moſt gracious promiſes made in that kind, " do give us confidence and aſſurance of the continual per- " formance thereof. In which comfort and confidence re- " poſing ourſelves, we moſt humbly pray for your majeſty's " long continuance in all princely felicity."

The king's promiſes ill executed.

Theſe gracious anſwers of the king to the ſeveral articles of the petition of both houſes, wanted only the performance of the promiſes. But if it may be judged by the continual com-

Charles I. 1625.

complaints of the parliaments throughout this whole reign, concerning theſe articles, on which the king ſeems to have given entire ſatisfaction, it will eaſily be ſeen that Charles's promiſes were no better performed than his father's. The king expected, that his anſwers to the petition would gain him the affection of the commons. But theſe anſwers, though ſo gracious and poſitive, could not engage them to do what he deſired, that is, to lay aſide all other buſineſs, and think only of granting him money. He was engaged in a war, to which he pretended the parliament had induced his late majeſty, from whence he inferred, it was great injuſtice not to enable him ſpeedily to ſupport it. This was true in one ſenſe. The parliament adviſed king James to break off the treaties with Spain, and promiſed to aſſiſt him in caſe the breach ſhould occaſion a war, as it was very likely. But, on the other ſide, it was now no longer a ſecret in England, that the former parliament was moved to give ſuch advice to the king, by the duke of Buckingham's narrative, a narrative falſe in every particular, though atteſted by the late king and prince. So the former parliament's advice being grounded on a wrong foundation, and as I may ſay, extorted by a mere artifice, the preſent parliament did not think themſelves obliged to perform very punctually a promiſe which the court had obtained rather by art, than by fairly ſtating the caſe. Nevertheleſs, this promiſe ſtill ſubſiſted; and if the commons had ſhown the public they were not obliged to keep it, they could not have done it without grievouſly affronting the king, by the diſcovery of the artifices he had uſed to procure it. They were willing to avoid that extremity. And therefore, letting the promiſe ſubſiſt without any diſobliging reflection on the king, their aim was to excuſe themſelves from granting him freſh ſupplies for a war raſhly undertaken, and without any likelihood of ſucceſs. At leaſt, if they ſhould be forced to give any more money, rather than enter into a diſcuſſion of the cauſes which had engaged the kingdom in this war, they intended the king ſhould purchaſe them, in ſome meaſure, with the redreſs of the grievances the nation groaned under. Wherefore, inſtead of the money-bill, as the king deſired, they began with examining and even inquiring after the grievances of the nation, and the ſtate of religion [a]. In this inquiry, the duke of Buckingham and the reſt of the miniſters were not ſpared.

Occaſion of the king's complaints againſt the commons.

Reaſons for the commons.

Ruſhworth, t. i. p. 189. Aug. 9, 10. Clarendon. t. i. p. 22.

[a] They reſolved, that religion ſhould have the firſt place in their debates; next the kingdom's ſafety; and then ſupplies. Ruſhworth, t. i. p. 180.

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The king seeing what course the commons were taking, was extremely offended. First, As by their slowness they broke all his measures for the present campain. Secondly, He deemed it a manifest affront and contempt of his person, to presume openly to attack his favourite and ministers, or rather himself under their name. So, perceiving no likelihood of a speedy supply, which was the sole end of calling the parliament, he was determined to dissolve it. The commons having some notice of it, hastily drew up the following declaration, in order to throw the blame of the dissolution on the king, for fear he should himself lay it on them, under colour that they were not very ready to perform their promise. Charles I. 1625. The king resolves to dissolve the parliament. The commons draw up a declaration.

The Commons Declaration.

"WE the knights, citizens and burgesses of the commons house of parliament, being the representative body of the whole commons of this realm, abundantly comforted in his majesty's late gracious answer touching religion, and his message for the care of our health, do solemnly protest and vow before God and the world, with one heart and voice, that we are all resolved, and do hereby declare, that we will ever continue most loyal and obedient subjects to our most gracious sovereign lord king Charles; and that we will be ready in convenient time, and in a parliamentary way, freely and dutifully to do our utmost endeavours, to discover and reform the abuses and grievances of the realm and state, and in like sort to afford all necessary supply to his most excellent majesty, upon his present, and all other his just occasions and designs; most humbly beseeching our said dear and dread sovereign, in his princely wisdom and goodness, to rest assured of the true and hearty affections of his poor commons, and to esteem the same to be (as we conceive it is indeed) the greatest worldly reputation and security that a just king can have; and to account all such as slanderers of the people's affections, and enemies to the commonwealth, that shall dare to say the contrary." Rushworth. t. 1. p. 190.

It evidently appears in this declaration, that the commons aim was to intimate to the people, that they intended not to deny the king money for his just occasions: but believed to have a right to demand first the redress of grievances as a condition, tho' they avoided using that term. This is the

Charles I. 1625. method constantly observed by the parliaments on the like occasions, and which is so necessary, that otherwise they would never be sure of procuring the people any satisfaction with respect to their grievances. For, grievances being properly acts of injustice, and breaches of the laws committed by the king or his ministers, the desire of obtaining money from the parliament is commonly the only inducement to the court to desist from injuring the people. Of this there are frequent examples in the history of England. But James I. and Charles I. took a different course from that of their predecessors. They chose to dissolve their parliaments, rather than yield to redress their grievances. This gave occasion to ascribe to them a formal design to free themselves from the yoke of the parliaments, or confine the use of them to the granting supplies and assessing the people. They could not understand, that what flowed from the royal authority should be accounted a grievance. This first parliament was therefore dissolved for this sole reason the 12th of August, not having sat to do business above three weeks both at Westminster and Oxford. The king pretended to dissolve it on account of the spreading of the plague, but the true reason was, because he found not in this parliament a compliance and disposition fit for his purpose [t].

The parliament is dissolved. Jour. parl. Rushworth. t. i. p. 191.

Negotiation at the Hague for a league against Spain.

The dissolution of the parliament hindered not the king from pursuing his design of continuing, or rather of beginning the war with Spain. For though the late king had taken some measures tending to a war, there had been however no action since the breach of the treaty. The sending of count Mansfeldt into the Low-countries, in order to march into the Palatinate, was almost the only thing that could be considered as a declaration against Spain, though the project had miscarried. Charles resolving therefore to undertake this war, of which he was the principal author and promoter, sent the duke of Buckingham and the earl of Holland to the Hague, to negotiate a league with the United Provinces. In the mean time, a fleet was equipping in England to act against Spain. But as he wanted money, he found no speedier or better method to raise it, than by borrowing of persons able to lend, to whom he directed letters under his privy-seal, requiring by way of loan such sums as each were

Ibid. Annals.

The king fits out a fleet. Extorteth loas. Rushworth. t. i. p. 292.

[t] The few acts made in this short parliament were these: 1. An act forbidding sports and pastimes, such as bear or bull-baiting, plays, or other unlawful exercises, on Sundays. 2. An act for the farther restraint of tippling in inns, alehouses, and victualling-houses. — The clergy granted the king three entire subsidies, and the laity two. See Statut.

taxed

taxed at [u]. This was the first effect of the dissolution of the parliament. These forced loans, practised by some kings of England, have ever been considered as great grievances, and tending to render parliaments useless. It will hereafter appear, that the next parliament did not suffer these to pass uncomplained of. However, to soften people's minds, and induce them to lend their money more freely, a proclamation was published, to call home all such children as were now educating in foreign countries, as well as all the English, Scots and Irish, in the service of the house of Austria. On the other hand, the privy-council issued out warrants to disarm recusants [w]. I don't know whether these warrants were strictly executed: but it is certain however, that afterwards the house of commons frequently required the disarming of the papists.

Charles I. 1625.

Rushworth. t. i. p. 191. Act. Pub. xviii. p. 20, 179. Recusants disarmed. Rushworth. t. i. p. 194.

The fleet designed against Spain was not ready to sail till the beginning of October, under the command of Edward Cecil [x], lately made viscount Wimbleton, who had the earl of Essex for vice-admiral. The fleet consisted of eighty sail, with ten regiments on board. The intent of the expedition was to wait in some convenient place for the Spanish plate fleet which was expected from the Indies in November. As

Fleet sent against Spain. id. p. 196. Annals. Howes. Coke. p. 207, 208. Act. Pub. xviii. p. 181, &c.

[u] The method was thus: first, the king wrote to the lord-lieutenants of the counties, to send him in the names of such persons as were of ability to furnish him with money, and what sums they thought they could spare. Then the controller of the king's household, by the council's order, issued forth letters in the king's name, under the privy-seal, to the several persons returned for the loan of money, in form as follows: "Trusty and well-beloved, "&c. having observed in the customs "of former times, that all the kings "of this realm, upon extraordinary "occasions, have used either to resort "to those contributions, which arise "from the generality of subjects, or to "private helps of some well-affected in "particular, by way of loan——— "As we are enforced to proceed in the "latter course ——— we doubt not "but we shall receive such a testimony "of your good affection from you, and "that with such alacrity, as may "make the same so much more accept-"able, especially seeing we require but "that sum which few men would deny "a friend. ——— The sum we "require of you by these presents "is——which we promise in the name "of us, our heirs, &c. to repay to you "or your assigns, within eighteen "months after payment thereof," &c.——Pursuant to this privy-seal, the monies required were generally according to this proportion following, viz. for the west-riding of Yorkshire, Sir Thomas Wentworth, 20 l. Sir John Jackson, 20 l. Sir Edward Osborn, 30 l. Godfery Copley, esq; 15 l. George Westby, esq; 10 l. Sir Henry Savil, 30 l. Sir John Savil, 15 l. Ursula Wentworth, 10 l. &c. Rushworth, tom. i. p. 193.

[w] Particularly the marquis of Winchester, and his son; the earl of Castlehaven; the viscounts Montague and Colchester; the lords Peter, Morley, Vaux, Eures, Arundel of Warder, Tenham, Herbert, and Windsor. Rushworth, tom. i. p. 194.——The bishops were likewise commanded to proceed against the papists by excommunication, and other censures. Idem. p. 198.

[x] Third son of the earl of Exeter.

Charles I. 1625.

the admiral had sufficient time, he might have attacked a great number of ships in the Bay of Cadiz, but the difficulty of the enterprize, or some other reason caused him to neglect that advantage. He was contented with landing Sir John Burroughs with some troops, who meeting no opposition, only plundered some villages, and abused themselves with wine, to their own, more than to their enemies prejudice. Whereupon they were forced to be re-imbarked with all speed. After that, the contagion spreading among the troops, the fleet returned to England in November, without the king's reaping any benefit from this armament, which had been very chargeable to him. This ill success did great injury to the king as well as to Buckingham, who was looked upon as the contriver and director of the court-projects.

Returns without doing any thing. Coke.

A new parliament called. Rushworth. i. p. 108. Coke. p. 216.

The king finding himself without money, and consequently unable to continue the war, resolved at length to call a new parliament. But to avoid the inconvenience of seeing in the lower-house such members as had most opposed him and exclaimed against the duke in the late parliament, the court invented this stratagem. All these persons were made sheriffs, and so could not be chosen members of parliament. Sir Edward Coke was of this number: but however he and some others were chosen, prefering the service they owed their country in parliament to that which they could render it as sheriffs [y]. The parliament was summoned to meet on the 6th of February 1625-6, and on the 2d being Candlemass-day, the king was crowned by archbishop Abbot; William Laud bishop of Bath and Wells, the king's favourite bishop, officiating as dean of Westminster, in the room of bishop Williams, who, through the king's disfavour, was sequestred from that service [z]. Before the coronation,

[illegible]der to [illegible]eive [illegible]ight-hood. Rushworth. i. p. 199. [illegible]nnals.

[y] The three persons chiefly aimed at were, Sir Edward Coke, Sir Robert Philips, and Sir Thomas Wentworth, made sheriffs of Bucks, Somerset, and Yorkshire. Coke, p. 216. Sir Edward Coke taking exceptions against the sheriff's oath, these words were ever after left out: "You shall do all "your pain and diligence to destroy "and make to cease all manner of he-"resies and errors, commonly called "lollardies, within your bayliwick "from time to time, and assist all or-"dinaries and commissioners of the "holy church, and favour and main-"tain them as often as you shall be "required. Rushworth, tom. i. p. 198.

[z] Bishop Laud had the chief hand in compiling the form of the coronation, and officiated as dean of Westminster, but did not crown the king, as Rapin says by mistake. The abbots of Westminster, it seems, had formerly, and afterwards the deans, a considerable share in the solemnities of the coronation. They had among other things, the custody of the old Regalia, that is, the crown, the sword, the sceptre, the spurs, &c. of king Edward the confessor,

nation, the king ordered by proclamation all ſuch as had forty pounds a year or more, and were not yet knights, to come and receive the order of knighthood. This was conſidered as a new grievance, of which I ſhall ſpeak hereafter. It ſuffices to ſay at preſent, that when this cuſtom was firſt authoriſed by an act of parliament, with regard to ſuch as had twenty pounds a year in land, twenty pounds then were equal to three hundred at the time I am ſpeaking of. But the king thought it a favour to his ſubjects to include ſuch only in his order as had forty pounds a year. Charles I. 1625.

The coronation was performed with the uſual ceremonies. But when all was over, the king being ſeated on his throne ready to receive the homages of the lords, Laud approached him, and read an extraordinary paſſage, of which there appeared no inſtance in former coronations. It contained the following words: The king's coronation. Ruſhworth. t. i. p. 200. Annals.

"Stand and hold faſt, from henceforth, the place to "which you have been heir by the ſucceſſion of your fore-"fathers, being now delivered to you by the authority of "almighty God, and by the hands of us, and all the "biſhops and ſervants of God: and as you ſee the clergy to "come nearer to the altar than others, ſo remember that "(in all places convenient) you give them greater honour, "that the mediator of God and man may eſtabliſh you in "the kingly throne to be a mediator betwixt the clergy and "the laity, and that you may reign for ever with Jeſus "Chriſt, the King of kings, and Lord of lords."

The parliament being aſſembled on the 6th of February, the lord keeper Coventry ſpoke thus to both houſes in the king's name.

"My lords, and you the knights, citizens, and burgeſſes "of the houſe of commons.

"YOU are here aſſembled by his majeſty's writs "and royal authority to hold a new parliament, the "general, ancient and powerful council of this renowned "kingdom; whereof if we conſider aright, and think of "that incomparable diſtance between the ſupreme height Ruſhworth, t. i. p. 201. The lord keeper Coventry's ſpeech. Ruſhworth, t. i. p. 202.

for. Theſe things it was the dean's buſineſs to prepare and ſet in order. Laud finding an old crucifix among the regalia, took care to place it upon the altar. Collier's Eccl. Hiſt. tom. ii. p. 736.——He was afterwards charged of having made ſome alterations in the coronation oath, but ſee what anſwer he makes to this, in State-trials, tom. i. p. 866, &c.

"and

Charles I. 1625. "and majeſty of a mighty monarch, and the ſubmiſſive awe "and lowlineſs of a loyal ſubject, we cannot but receive ex- "ceeding comfort and contentment in the frame and conſti- "tution of this higheſt court; wherein not only the prelates, "nobles and grandees, but the commons of all degrees "have their part, and wherein that high majeſty doth de- "ſcend to admit, or rather to invite the humbleſt of his "ſubjects to conference and council with him, of the great, "weighty, and difficult affairs of the king and kingdom; a "benefit and favour whereof we cannot be too ſenſible and "thankful; for ſure I am, that all good hearts would be "both ſenſible and ſorrowful, if we did want it; and "therefore it behoveth all, with united hearts and minds, "free from diſtraction and diverſion, to fix their thoughts "upon counſels and conſultations worthy of ſuch an aſſem- "bly; remembering, that in it is preſented the majeſty and "greatneſs, the authority and power, the wiſdom and know- "ledge of this great and famous nation; and it behoveth "us to magnify and bleſs God, that hath put the power of "aſſembling parliaments in the hands of him, the virtue of "whoſe perſon doth ſtrive with the greatneſs of his princely "lineage and deſcent, whether he ſhould be accounted ma- "jor or melior, a greater king, or a better man; and of "whom you have had ſo much trial and experience, that he "doth as affectionately love, as he doth exactly know and "underſtand the true uſe of parliaments; witneſs his daily "and unwearied acceſs to this houſe, before his acceſs to "the crown; his gracious readineſs to all conferences of im- "portance; his frequent and effectual interceſſion to his "bleſſed father of never-dying memory, for the good of the "kingdom, with ſo happy ſucceſs, that both this and future "generations ſhall feel it, and have cauſe to rejoice at the "ſucceſs of his majeſty's interceſſion. And when the royal "diadem deſcended upon himſelf, preſently, in the midſt of "his tears and ſighs for the departure of his moſt dear and "royal father, in the very firſt conſultation with his privy- "council, was reſolved to meet his people in parliament: "and no ſooner did the heavy hand of that deſtroying angel "forbear thoſe deadly ſtrokes, which for ſome time did "make this place inacceſſible [2], but his majeſty preſently "reſolved to recal it, and hath now brought you together,

[2] He means the plague, of which their died, this year, in London and the out-pariſhes, thirty five thouſand four hundred and ſeventeen perſons. Whitelock, p. 3.

"and

" and in a happy time I truſt, to treat and conſult, with Charles I.
" uniform deſires and united affections, of thoſe things that 1625.
" concern the general good.

" And now being thus aſſembled, his majeſty hath com-
" manded me to let you know, that his love and affection
" to the public moved him to call this parliament; and
" looking into the danger, and the ſpreading of that morta-
" lity, and weighing the multitude of his majeſty's preſſing
" occaſions, and urging affairs of ſtate, both at home and
" abroad, much importing the ſafety and ſtate of this king-
" dom; the ſame affection that moved him to call it, doth
" forbid him to prolong the ſitting of this parliament: and
" therefore his majeſty reſolving to confine this meeting to a
" ſhort time, hath confined me to a ſhort errand; and that
" is, that as a thing moſt agreeable to the kingly office, to
" the example of the beſt times, and to the frame of modern
" affairs, his majeſty hath called you together to conſult
" and to adviſe of provident and good laws, profitable for
" the public, and fitting for the preſent times and actions; for
" upon ſuch depends the aſſurance of religion, and of juſtice,
" which are the ſureſt pillars and buttreſſes of good govern-
" ment in a kingdom: for his majeſty doth conſider, that
" the royal throne, on which God out of his mercy
" to us hath ſet him, is the fountain of all juſtice, and
" that good laws are the ſtreams and quits by which the be-
" nefit and uſe of this fountain is diſperſed to his people;
" and it is his majeſty's care and ſtudy, that his people may
" ſee with comfort and joy of heart, that this fountain is not
" dry, but that they and their poſterity may reſt aſſured and
" confident in his time, to receive as ample benefit from
" this fountain, by his majeſty's mercy and juſtice, as ever
" ſubjects did in the time of the moſt eminent princes
" amonſt his noble progenitors; wherein as his majeſty ſhews
" himſelf moſt ſenſible of the good of the public, ſo were it
" an injury to this great and honourable aſſembly, if it ſhould
" be but doubted, that they ſhall not be as ſenſible of any
" thing that may add to his majeſty's honour; which can-
" not but receive a high degree of love and affection, if his
" majeſty ſucceeding ſo many religious, wiſe, and renowned
" princes, ſhould begin his reign with ſome additions unto
" thoſe good laws which their happy and glorious times have
" afforded. And this his majeſty hath cauſed me to deſire
" at this time eſpecially above others; for his majeſty hav-
" ing at his royal coronation lately ſolemnized the ſacred
" rights of that bleſſed marriage between his people and him;

" and

Charles I. 1625.

"and therein by a moſt holy oath vowed the protection of "the laws and maintenance of peace, both to church and "people, no time can be ſo fit for his majeſty to adviſe and "conſult at large with his people, as at this preſent time, "wherein ſo lately his majeſty hath vowed protection to his "people, and they have proteſted their allegiance and ſer-"vice to him.

"This is the ſum of that charge which I have received "from his majeſty to deliver unto you; wherein you ſee "his majeſty's intent to the public: and therefore his "deſire is, that according to that conveniency of time "which his affairs may afford, you may apply yourſelves "to diſpatch the buſineſs of this parliament."

The king is thanked for his anſwer to the petition againſt the recuſants. Ruſhworth, t. i. p. 207. Annals.

Though it did not appear in this ſpeech, that the king intended to aſk a ſupply of the commons, that was however, as was afterwards ſeen, the real motive of calling the parliament. But the commons did not think themſelves obliged to gueſs the king's intention, or prevent his demand. So, after chuſing their ſpeaker [b], the firſt care was to thank the king for his gracious anſwer to the petition againſt recuſants, preſented to him at Oxford. Then they ſpent ſome days in examining the public grievances, amongſt which were reckoned the miſcarriage of the fleet to Cadiz, evil counſellors about the king, and the miſemployment of the three ſubſidies, and three fifteenths, granted to the late king, for the recovery of the Palatinate. To examine the grievances with more order and clearneſs, committees were appointed, one for ſecret affairs, another for grievances, and another for religion. This laſt, whereof Mr. Pym was chairman, called in queſtion again, Montague's books, intitled, An Anſwer to the late Gagg of Proteſtants, An Appeal to Cæſar, and A treatiſe of the Invocation of Saints, and reported to the houſe, the falſe, erroneous, papiſtical, Arminian, opinions found therein, repugnant to the articles of the church of England. For inſtance, "That the church "of Rome hath ever remained firm upon the ſame founda-"tion of ſacraments and doctrines inſtituted by God. That "the controverted points between the church of England "and the church of Rome are of a leſſer and inferior nature, "of which a man may be ignorant without any danger of "his ſoul at all. That images may be uſed for the inſtruc-"tion of the ignorant, and the excitation of devotion. That "there are tutelar ſaints as well as angels. That men juſti-

The commons examine grievances.

Committees appointed.

Montague's book called in queſtion. Ruſhworth, t. i. p. 209. Annals. Coke. p. 217

[b] Sir Heneage Finch.

"fied

fied may fall away and depart from the ſtate of grace, and Charles I.
"ſome other Arminian tenets." 1625-6.

The king ſeeing the commons bent upon the examination of religious matters, ordered his attorney-general to acquaint the judges of the circuit, that it was his pleaſure they ſhould proceed with rigour againſt recuſants. He had promiſed this ſix months before, in his anſwer to the former parliament's petition: but, in all appearance, this article had been neglected by the court, or by thoſe who were commiſſioned to execute the orders. It is certain, during this reign, ſuch kind of orders were never punctually executed.

The king's letter to the judges to proceed againſt recuſants. Ruſhworth, t. i. p. 212.

The king had demanded a ſupply of money to carry on the war; but the commons were in no haſte to grant it. On the contrary, they ſtill proceeded in the examination of grievances, and, among others, of certain repriſals made upon France with too much precipitation, to the great damage of the Engliſh merchants [c]. The council of war, appointed by the parliament to manage the three ſubſidies granted to king James, were alſo obliged to give an account of their conduct.

The commons neglect the king's affairs, and mind only grievances. Id. p. 213. Annals.

The king bearing this delay very impatiently, preſſed the commons to conſider of the ſupply. The lords alſo endeavoured to perſwade them to it, in a conference which they deſired on that occaſion; but it was to no purpoſe. On the contrary, they heard the report of the committee concerning the nation's grievances, wherein they had always the duke of Buckingham in view, and even cauſed him to be informed of the articles on which the complaints againſt him were grounded. Whereupon the king ſent a letter to the ſpeaker, with a meſſage to the houſe by Sir Richard Weſton.

The houſe of lords ſollicite them in vain.

Truſty and well-beloved,

"HAving aſſembled the parliament early in the beginning of the year, for the more timely help and advice of our people in our great and important affairs; and having of late, not only by meſſage, but alſo of ourſelf, put our houſe of commons in mind of our preſſing occaſions, and of the preſent eſtate of Chriſtendom, wherein they have equal

The king's letter to the ſpeaker. Ruſhworth, t. i. p. 214. Annals, p. 115.

[c] It ſeems a report was made to the houſe, that the reaſon why our merchants ſhips and goods were ſeized in France, was, becauſe Sir James Bagg, vice-admiral of Cornwal, and others, had ſeized upon the goods of the French in our ports, particularly a ſhip called the Peter of Newhaven, by Buckingham's order, after the king and council had ordered the ſhip to be reſtored upon a juſt claim. That twenty-three bags of ſilver, and eight of gold, were by Sir Francis Steward delivered to the duke, who ſaid, he would juſtify the ſtay of the ſhip by order from the king. Ruſhworth, tom. i. p. 213.

"intereſt

Charles I. 1625-6. "intereſt with us, as well in reſpect of their own former engagements, as of the common cauſe; we ſhall not need to tell them with what care and patience we have in the midſt of our neceſſities attended their reſolutions; but becauſe their unſeaſonable ſlowneſs may produce at home as ill effects as a denial, and hazard the whole eſtate of things abroad; we have thought fit by you the ſpeaker, to let them know, that without more loſs of time, we look for a full and perfect anſwer of what they will give for our ſupply, according to our expectation, and their promiſes; wherein, as we preſs for nothing beyond the preſent ſtate and condition of our ſubjects, ſo we accept no leſs than is proportionable to the greatneſs and goodneſs of the cauſe: neither do we preſs them to a preſent reſolution in this, with a purpoſe to precipitate their counſels, much leſs to enter upon their privileges, but to ſhew that it is unfit to depend any longer upon uncertainties, whereby the whole weight of the affairs of Chriſtendom may break in upon us upon the ſudden, to our diſhonour, and the ſhame of this nation. And for the buſineſs at home, we command you to promiſe them in our name, that after they have ſatisfied us in this our reaſonable demand, we ſhall not only continue them together at this time, ſo long as the ſeaſon will permit, but call them ſhortly again to perfect thoſe neceſſary buſineſſes which ſhall be now left undone; and now we ſhall willingly apply fit and ſeaſonable remedies to ſuch juſt grievances which they ſhall preſent unto us in a dutiful and mannerly way, without throwing an ill odour upon our preſent government, or upon the government of our late bleſſed father. And if there be yet who deſire to find fault, we ſhall think him the wiſeſt reprehender of errors paſt, who, without reflecting backward, can give us counſel how to ſettle the preſent eſtate of things, and to provide for the future ſafety and honour of the kingdom."

The meſſage brought at the ſame time and delivered to the houſe by Weſton, contained five articles of expence to be provided for, namely;

Heads of the expence to be provided for. Rushworth, t. i. p. 215.

"1. That his majeſty's fleet being returned, and the victuals ſpent, the men muſt of neceſſity be diſcharged, and their wages paid, or elſe an aſſured mutiny will follow, which may be many ways dangerous at this time.

"2. That his majeſty hath made ready about forty ſhips, to be ſet forth on a ſecond voyage, to hinder the enemy, which want only victuals and ſome men, which, without

"present supply of money, cannot be set forth and kept together. Charles I. 1625-6.

"3. That the army which is appointed in every coast, "must presently be disbanded, if they be not presently supplied with victuals and cloaths.

"4. That if the companies of Ireland, lately sent thither, "be not provided for, instead of defending that country, they "will prove the authors of rebellion.

"5. That the season of providing healthful victuals will "be past, if this month be neglected.

"And therefore his majesty commandeth me to tell you, "that he desired to know, without further delaying of time, "what supply you will give him for these his present occa- "sions, that he may accordingly frame his course and "counsel."

The commons were not very well pleased with the letter or message, wherein were several things they could not approve. 1. The manner of demanding the supply, which showed it to be not so much a free-gift on their part as an obligation. 2. The king set them a time, by ordering it to be done without delay, and before all other things. 3. He would not accept of less than was necessary, and this could relate only to the five articles of expence, which was properly specifying to them the sum they were to give. 4. The king demanded money with an extraordinary and unprecedented haughtiness. 5. The king grounded his demands upon the parliament's engagement to king James, an engagement fraudulently obtained by the duke of Buckingham's false narration. 6. The war, for which so much money was to be given, had been rashly undertaken, at a time when there was no prospect of success; and the king and the duke of Buckingham were known to be the authors of it, though the king perpetually insisted upon the parliament's advice to his father. Had it been undertaken, at the beginning of the quarrel between the king of Bohemia and the emperor, or even before the loss of the Palatinate, when there was room to hope for the assistance of the protestant princes, it might have been expected to be crowned with success. But it was begun at a time, when all the princes of Germany were either subdued by or united to the emperor; at a time when there was not a single place left that might afford the English entrance into the Palatinate, or could possibly be approached by them. How then could it be expected to wrest the two Palatinates from the emperor and the duke of Bavaria? The whole therefore was reduced to the attacking of the Spaniard.

The commons are disgusted. Reasons thereof.

Upon

Charles I. 1625-6. Upon what account? It was either to oblige him to uſe his intereſt for the reſtitution of the Palatinate, in which caſe a war was needleſs, ſince he had promiſed his mediation, and even engaged to render it effectual, before the breach of the marriage: or elſe, to conſtrain him to employ his arms in wreſting the Palatinates from the two princes in poſſeſſion, a project which appeared extravagant, and would have drained England of men and money to no purpoſe. Beſides, the late expedition of the fleet, was no great encouragement to proſecute that undertaking. 7. Finally, though the commons did not care openly to enter into all theſe diſcuſſions, they were willing however to ſhow the king, they did not mean to be amuſed with a promiſe extorted by a mere artifice, and, if they granted him money, would reap at leaſt the advantage of procuring the redreſs of the national grievances. But the king took care to ſhut that door againſt them, by deferring the redreſs of the grievances to another time. As they perceived, and the king himſelf intimated to them, that the deſired ſupply would not be the laſt, they could not be ſure, but in the nex ſeſſion of parliament the king would again expect the money-bill to paſs before the grievances, and ſo there would be no end. Theſe were the true reaſons of the tardineſs of the commons, and their little ardour for the king's affairs, though they would not openly declare them for fear of engaging in debates offenſive to his majeſty. Nevertheleſs they were willing to intimate them to him, and, very likely, he perceived them well enough, though it was thought proper on both ſides to conceal them from the public. For this cauſe the commons reſolved to ſend an anſwer to the king's meſſage, full of reſpect, ſubmiſſion, expreſſions of zeal for his ſervice, and even promiſes of aiding him in his wants, though in a general manner. But withal, they artfully intimated to him, that redreſs of grievances ought to precede the ſupply they intended to grant him. Their anſwer was as follows:

"Moſt gracious ſovereign,

The commons anſwer to the king. Ruſhworth, t. i. p. 216.

"YOUR majeſty's dutiful and loyal ſubjects, the commons now aſſembled in parliament, in all humility, "preſent unto your royal wiſdom, this their loyal anſwer to "the meſſage, which your majeſty was pleaſed by the chan- "cellor of the exchequer to ſend unto them, deſiring to know, "without any further deferring of time, what ſupply they "would give to your majeſty, for your preſent and extraor- "dinary occaſions, that you might accordingly frame your

"courſes

courſes and counſels. Firſt of all, they moſt humbly be- Charles I.
"ſeech your majeſty, to know and reſt aſſured, that no king 1625-6.
"was ever dearer to his people than your majeſty; no peo-
"ple more zealous to maintain and advance the honour and
"greatneſs of their king than they; which, as upon all occa-
"ſions they ſhall be ready to expreſs, ſo eſpecially in the
"ſupport of that cauſe, wherein your majeſty and your allies
"are now juſtly engaged. And becauſe they cannot doubt,
"but your majeſty in your great wiſom, even out of juſtice,
"and according to the example of your moſt famous prede-
"ceſſors, will be pleaſed graciouſly to accept the faithful and
"neceſſary information and advice of your parliament, which
"can have no end but the ſervice of your majeſty, and ſafety
"of your realm, in diſcovering the cauſes, and propoſing the
"remedies of theſe great evils, which have occaſioned your
"majeſty's wants, and your people's grief.

"They therefore in confidence and full aſſurance of re-
"dreſs therein, do with one conſent propoſe (though in for-
"mer time ſuch courſe hath been unuſed) that they really
"intend to aſſiſt and ſupply your majeſty in ſuch a way, and
"in ſo ample a meaſure, as may make you ſafe at home,
"and feared abroad; for the diſpatch whereof they will uſe
"ſuch diligence as your majeſty's preſſing and preſent occa-
"ſions ſhall require."

The king fully perceived the intention of the houſe in ſending him this anſwer. But he had not the ſame reaſons as the commons to be reſerved in his expreſſions. It was rather his intereſt to ſpeak freely, for fear, by diſſembling his principles and pretenſions, he ſhould encourage the commons to attack the duke of Buckingham, who was counted the prime author of the grievances. His majeſty therefore makes this reply to the commons anſwer:

"Mr. Speaker,

"THE anſwer of the commons delivered by you, I like The king's reply. Ruſhworth, t. i. p. 216.
"well of, and do take it for a full and ſatisfactory an-
"ſwer, and I thank them for it, and I hope you will with
"all expedition take a courſe for performance thereof, the
"which will turn to your own good as well as mine;
"but for your clauſe therein of preſenting of grievances, I
"take that but for a parentheſis in your ſpeech, and not a
"condition; and yet for anſwer to that part, I will tell you,
"I will be as willing to hear your grievances, as my pre-
"deceſſors have been, ſo that you will apply yourſelves to

Charles I. 1625-6.

" redreſs grievances, and not to enquire after grievances. I " muſt let you know, that I will not allow any of my ſer- " vants to be queſtioned amongſt you, much leſs ſuch as are " of eminent place, and near unto me. The old queſtion " was, " What ſhall be done to the man whom the king " will honour?" But now it hath been the labour of ſome, " to ſeek what may be done againſt him whom the king " thinks fit to honour. I ſee you ſpecially aim at the duke " of Buckingham; I wonder what hath ſo altered your af- " fections towards him. I do well remember, that in the laſt " parliament in my father's time, when he was the inſtru- " ment to break the treaties, all of you (and yet I cannot " ſay all, for I know ſome of you are changed, but yet the " houſe of commons is always the ſame) did ſo much ho- " nour and reſpect him, that all the honour conferred on him " was too little; and what he hath done ſince to alter and " change your minds, I wot not; but can aſſure you, he hath " not meddled, or done any thing concerning the public or " commonwealth, but by ſpecial directions and appointment, " and as my ſervant, and is ſo far from gaining or improv- " ing his eſtate thereby, that I verily think he hath rather " impaired the ſame. I would you would haſten for my " ſupply, or elſe it will be worſe for yourſelves; for if any " ill happen, I think I ſhall be the laſt ſhall feel it."

Buckingham's conduct examined in the houſe. Id. p. 217.

This letter hindered not the commons from proceeding in the examination of the duke of Buckingham's conduct, it being reſolved to impeach him in form. The queſtion was moved by Dr. Turner, a phyſician, " Whether common " fame be a good ground of proceeding for the houſe?" The queſtion was decided in the affirmative, after conſulting ſome lawyers [d], at which the king was extremely offended, and ſhowed his diſpleaſure to the commons, demanding withal, that Turner might be puniſhed for moving ſuch a queſtion [e]. But this meſſage ſignified but little, and the houſe ſtill continuing to proceed againſt the duke, it was the general opinion of the members that, in granting the king money, the redreſs of the grievances was not to be neglected.

Turner's queſtion approved.

The king demands juſtice of Turner.

The commons vote a ſupply. Ruſhworth, t. i. p. 221. Annals, p. 116.

Mean while, to take from the king the pretence which all theſe delays might furniſh him with, the commons unanimouſly voted him three ſubſidies and three fifteenths, to which,

Their intent.

[d] Sir Thomas Wentworth, Mr. Noy, Mr. Selden, and others. Whitlock, p. 5.

[e] The king, in this meſſage, demanded juſtice alſo againſt Mr. Clement Coke, Sir Edward's ſon, and member for Aileſbury, who ſaid in the houſe, " That it was better to die by an ene- " my, than to ſuffer at home." Ruſhworth, tom. i. p. 218.

a month

a month after, was added a fourth ſubſidy. Moreover they fixed the payment of the firſt to the laſt day of June[f]. Nothing is a clearer evidence of the deſign aſcribed by me to the commons, namely, that in granting money to the king, they meant to render their liberality ſubſervient to the redreſs of grievances. By this expedient they ſhowed the public, how ready they were to aſſiſt the king in his neceſſities; but at the ſame time reſerved to themſelves the liberty of paſſing this vote into an act (without which it was of no uſe to the king) when they ſhould think fit. Now, according to their intention, this act was not to paſs till the grievances were preſented to, and anſwered by the king. Thus he was deprived of the pretence to complain of their delays, though indeed what they did for him could be advantagious to him, but on ſuppoſition he would regard their deſires. This greatly embarraſſed the king. He plainly ſaw the commons deſign, and was the more offended, as all their proceedings were levelled at the duke of Buckingham, or rather at the king himſelf, who had publicly declared, the duke had only followed his orders, without being able to prevail for his being left unmoleſted. As he found they acted with too little reſpect, he reſolved to let them know how much he was diſpleaſed with their proceedings, doubtleſs, to frighten them into another courſe. He ſent therefore for both houſes to Whitehall, where he made the following ſpeech:

Charles I. 1625-6.

The king is offended at their proceedings.

"My Lords and Gentlemen,

"I Have called you hither to-day, I mean both houſes of parliament; but it is for ſeveral and diſtinct reaſons: my lords, you of the upper-houſe, to give you thanks for the care of the ſtate of the kingdom now; and not only for the care of your own proceedings, but enticing your fellow-houſe of the commons, to take that into their conſideration. Therefore (my lords) I muſt not only give you thanks, but I muſt alſo avow, that if this parliament do not redound to the good of this kingdom (which I pray God it may) it is not your faults. And you, gentlemen of the houſe of commons, I am ſorry that I may not juſtly give the ſame thanks to you; but that I muſt tell you, that I am come here to ſhow you your errors, and, as I may call it, unparliamentary proceedings in this parliament. But I do not deſpair, becauſe you ſhall ſee your faults ſo clearly by the lord-keeper, that you may ſo amend your

1626. The king's ſpeech, March 29. Ruſhworth, t. i. p. 221.

[f] And the laſt of October. Idem, p. 221.

Charles I. 1626. "proceedings, that this parliament ſhall end comfortably and happily, though at the beginning it hath had ſome rubs."

Then the lord keeper, by the king's command, ſpoke next.

"My lords, and you the knights, citizens, and burgeſſes of the houſe of commons.

The lord-keeper's ſpeech. "YOU are here aſſembled by his majeſty's commandment, to receive a declaration of his royal pleaſure; which although it be intended only to the houſe of commons, yet his majeſty hath thought meet, the matter being of great weight and importance, it ſhould be delivered in the preſence of both houſes, and both houſes make one general council: and his majeſty is willing, that the lords ſhould be witneſſes of the honour and juſtice of his reſolutions. And therefore the errand, which by his majeſty's direction I muſt deliver, hath relation to the houſe of commons. I muſt addreſs myſelf therefore to you, Mr. Speaker, and the reſt of that houſe.

"And firſt, his majeſty would have you to underſtand, that there was never any king more loving to his people, or better affectioned to the right uſe of parliaments, than his majeſty hath approved himſelf to be, not only by his long patience ſince the ſitting down of this parliament, but by thoſe mild and calm directions which from time to time that houſe hath received by meſſage and letter, and from his royal mouth; when the irregular humours of ſome particular perſons wrought diverſions and diſtractions there, to the diſturbance of thoſe great and weighty affairs, which the neceſſity of the times, the honour and ſafety of the king and kingdom called upon. And therefore his majeſty doth aſſure you, that when theſe great affairs are ſettled, and that his majeſty hath received ſatisfaction of his reaſonable demands, he will, as a juſt king, hear and anſwer your juſt grievances, which in a dutiful way ſhall be preſented unto him; and this his majeſty doth avow.

"Next his majeſty would have you know of a ſurety, That as never any king was more loving to his people, nor better affectioned to the right uſe of parliaments, ſo never king more jealous of his honour, nor more ſenſible of the neglect and contempt of his royal rights, which his majeſty will by no means ſuffer to be violated by any pretended colour of parliamentary liberty; wherein his majeſty doth

"not

not forget, that the parliament is his council, and there- Charles I.
fore ought to have the liberty of a council; but his ma- 1626.
" jesty understands the difference betwixt council and con-
" trolling, and between liberty, and the abuse of liberty.

" This being set down in general, his majesty hath com-
" manded me to relate some particular passages and proceed-
" ings, wherein he finds himself aggrieved.

" First, Whereas a seditious speech was uttered amongst
" you by Mr. Coke, the house did not, as they ought to do,
" censure and correct him. And when his majesty under-
" standing it, did, by a message by Mr. chancellor of the
" exchequer, delivered to the house, require justice of you,
" his majesty hath since found nothing but protracting and
" delays. This his majesty holds not agreeable to the
" wisdom and the duty which he expected from the house
" of commons.

" Secondly, Whereas doctor Turner, in a strange un-
" parliamentary way, without any ground of knowledge in
" himself, or offering any particular proof of the house, did
" take upon him to advise the house to enquire upon sundry
" articles against the duke of Buckingham, as he pretended,
" but in truth, to wound the honour and government of his
" majesty, and of his renowned father; and his majesty,
" first by a message, and after by his own royal mouth, did
" declare, That that course of enquiry was an example
" which by no way he could suffer, though it were against
" his meanest servant, much less against one so near him;
" and that his majesty did much wonder at the foolish in-
" solency of any man, that can think, that his majesty
" should be drawn out of any end to offer such a sacrifice,
" so unworthy of a king, or a good master; yet for all this,
" you have been so far from correcting the insolency of
" Turner, that ever since that time your committees have
" walked in the steps of Turner, and proceeded in an un-
" parliamentary inquisition, running upon generals, and re-
" peating that whereof you have made fame the ground-
" work. Here his majesty hath cause to be exceeding sen-
" sible, that upon every particular he finds the honour of his
" father stained and blemished, and his own no less; and
" withal you have manifested a great forwardness, rather to
" pluck out of his bosom those who are near about him, and
" whom his majesty hath cause to affect, than to trust his
" majesty with the future reformation of these things which
" you seem to aim at: And yet you cannot deny but his
" majesty hath wrought a greater reformation in matters of re-

Charles I. 1626.

" religion, execution of the laws, and concerning things of " great importance, than the ſhortneſs of his reign (in which " he hath been hindered, partly through ſickneſs, and the " diſtraction of things, which we could have wiſhed had been " otherwiſe) could produce.

" Concerning the duke of Buckingham, his majeſty hath " commanded me to tell you, That himſelf doth better know " than any man living, the ſincerity of the duke's proceed- " ings; with what cautions of weight and diſcretion he hath " been guided in his public employments, from his majeſty " and his bleſſed father; what enemies he hath procured at " home and abroad; what peril of his perſon, and hazard of " his eſtate, he ran into, for the ſervice of his majeſty, and " his ever-bleſſed father; and how forward he hath been in " the ſervice of this houſe, many times ſince his return from " Spain. And therefore his majeſty cannot believe, that the " aim is at the duke of Buckingham, but findeth that theſe " proceedings do directly wound the honour and judgment " of himſelf and of his father. It is therefore his majeſty's " expreſs and final commandment, that you yield obedience " unto thoſe directions which you have formerly received, " and ceaſe this unparliamentary inquiſition, and commit unto " his majeſty's care, and wiſdom, and juſtice, the future re- " formation of theſe things which you ſuppoſe to be other- " wiſe than they ſhould be: And his majeſty is reſolved, that " before the end of this ſeſſion, he will ſet ſuch a courſe, both " for the amending of any thing that may be found amiſs, " and for the ſettling of his own eſtate, as he doubteth not " but will give you ample ſatisfaction and comfort.

" Next to this, his majeſty takes notice, that you have " ſuffered the greateſt council of ſtate to be cenſured and " traduced in the houſe, by men whoſe years and education " cannot attain to that depth: That foreign buſineſſes have " been entertained in the houſe, to the hindrance and diſ- " advantage of his majeſty's negotiations: That the ſame " year, yea, the firſt day of his majeſty's inauguration, you " ſuffered his council, government, and ſervants, to be pa- " rallelled with the times of moſt exception: That your " committees have preſumed to examine the letters of ſecre- " taries of ſtate, nay, his own; and ſent a general warrant " to his ſignet-office, and commanded his officers, not only " to produce and ſhew the records, but their books and pri- " vate notes, which they made for his majeſty's ſervice. " This his majeſty holds as unſufferable, and it was in for- " mer times unuſual.

" Next

" Next I am to ſpeak concerning your ſupply of three Charles I.
" ſubſidies, and three fifteenths, which you have agreed to 1626.
" render to his majeſty. You have been made acquainted
" with the greatneſs of his affairs, both at home and abroad,
" with the ſtrong preparation of the enemy, with the im-
" portance of upholding his allies, ſtrengthning and ſecuring
" both England and Ireland; beſides the encountering and
" annoying the enemy by a powerful fleet at ſea, and the
" charge of all: This having been calculated unto you, you
" have profeſſed unto his majeſty, by the mouth of your
" ſpeaker, your carefulneſs to ſupport the cauſe wherein his
" majeſty and his allies are juſtly engaged; your unanimous
" conſent and real intention to ſupply his majeſty in ſuch a
" meaſure as ſhould make him ſafe at home, and feared a-
" broad; and that in the diſpatch hereof you would uſe ſuch
" diligence as his majeſty's preſſing and preſent occaſions did
" require.

" And now his majeſty having erected a proceeding ſuitable
" to this engagement, he doth obſerve, that in two days
" only of twelve, this buſineſs was thought of, and not be-
" gun till his majeſty by a meſſage put you in mind of it,
" whilſt your inquiſition againſt his majeſty's direction pro-
" ceeded day by day.

" And for the meaſure of this ſupply, his majeſty findeth
" it ſo far from making himſelf ſafe at home, and feared a-
" broad; as contrariwiſe it expoſeth him both to danger and
" diſeſteem; for his majeſty cannot expect, without better
" help, but that his allies muſt preſently diſband, and leave
" him alone to bear the fury of a provoked and powerful ene-
" my: So as both he and you ſhall be unſafe at home, and
" aſhamed and deſpiſed abroad. And for the manner of the
" ſupply, it is in itſelf very diſhonourable, and full of diſ-
" truſt; for although you have avoided the literal word of a
" condition, whereof his majeſty himſelf did warn you, when
" he told you of your parentheſis; yet you have put to it
" the effect of a condition, ſince the bill is not come into
" your houſe untill your grievances be both preferred and an-
" ſwered. No ſuch thing was in that expreſſion and engage-
" ment delivered by your ſpeaker, for which his majeſty
" holdeth, that you have exceeded both in matter and man-
" ner, to his great diſadvantage and diſhonour. And there-
" fore his majeſty commandeth, that you go together, and
" by Saturday next return your final anſwer, what further
" ſupply you will add to this you have already agreed on,
" and that to be without condition, either directly or indi-

Charles I. 1626. "ly, for the ſupply of theſe great and important affairs of "his majeſty; which for the reaſons formerly made known "unto you, can endure no longer delay; and if you ſhall not "by that time reſolve on a more ample ſupply, his majeſty "cannot expect a ſupply this way, nor promiſe you to ſit "longer together; otherwiſe, if you do it, his majeſty is well "content that you ſhould ſit ſo long as the ſeaſon of the year "will permit; and doth aſſure you, that the preſent addition "to your ſupply to ſet forward the work, ſhall be no hind-"rance to your ſpeedy acceſs again.

"His majeſty hath commanded me to add this, That "therein he doth expect your chearful obedience, which will "put a happy iſſue to this meeting, and will enable his ma-"jeſty, not only to a defenſive war, but to employ his ſub-"jects in foreign actions, whereby will be added to them "both experience, ſafety, and honour.

"Laſt of all, his majeſty hath commanded me, in expla-"nation of the gracious goodneſs of his royal intention, to "ſay unto you, That he doth well know, that there are "among you many wiſe and well tempered men, well af-"fected to the public, and to his majeſty's ſervice; and that "thoſe that are willingly faulty are not many; And for the "reſt his majeſty doubteth not, but after his gracious ad-"monition, they will in due time obſerve and follow the "better ſort; which if they ſhall do, his majeſty is moſt "ready to forget whatſoever is paſt."

Then his majeſty ſpoke again.

"I muſt withal put you in mind a little of times paſt; "you may remember, that in the time of my bleſſed father, "you did with your counſel and perſuaſion perſuade both my "father and me to break off the treaties: I confeſs I was "your inſtrument, for two reaſons; one was, the fitneſs of "the time; the other was becauſe I was ſeconded by ſo great "and worthy a body, as the whole body of parliament: "Then there was no body in ſo great favour with you as "this man, whom you ſeem now to touch, but indeed my "father's government and mine. Now that you have all "things according to your wiſhes, and that I am ſo far en-"gaged, that you think there is no retreat; now you begin "to ſet the dice, and make your own game; But I pray you "be not deceived, it is not a parliamentary way, nor it is "not a way to deal with a king.

"Mr.

"Mr. Coke told you, It was better to be eaten up by a foreign enemy, than to be deſtroyed at home. Indeed I "think it more honour for a king to be invaded, and almoſt "deſtroyed by a foreign enemy, than to be deſpiſed by his "own ſubjects. Charles I. 1626.

"Remember, that parliaments are altogether in my power "for their calling, ſitting, and diſſolution; therefore as I "find the fruits of them good or evil, they are to continue, "or not to be: And remember, that if in this time, inſtead "of mending your errors, by delay you perſiſt in your errors, "you make them greater and irreconcileable: whereas, on "the other ſide, if you do go on cheerfully to mend them, "and look to the diſtreſſed ſtate of Chriſtendom, and the "affairs of the kingdom, as it lieth now by this great en-"gagement; you will do your ſelves honour, you ſhall en-"courage me to go on with parliaments, and I hope, all "Chriſtendom ſhall feel the good of it."

The king's and keeper's ſpeeches were ſo plain, that they could not be miſunderſtood. The king's aim in general was to intimate to the parliament, they were only his council, whoſe advice he might follow or reject, and he could either not aſſemble this council, or govern without it. The commons immediately turned the houſe into a grand committee, ordering the doors to be locked, and no member to depart till the houſe came to a reſolution concerning theſe ſpeeches. His majeſty having notice thereof, and perceiving this could not but retard his affairs, ordered a conference between the two houſes, and commanded the duke of Buckingham to explain his intentions, and give his words a ſenſe leſs offenſive than what they obviouſly bore. The duke ſpoke in the manner following.

The commons take offence at thoſe ſpeeches. Ruſhworth, t. i. p. 225. Annals, p. 118.

"WHereas it is objected by ſome, who wiſh good cor-"reſpondency betwixt the king and people, that to "prefix a day to give or to break was an unuſual thing, and "might expreſs an inclination to the king to break; to re-"move this, as his majeſty was free from ſuch thoughts, he "hath deſcended to make this explanation.

The duke of Buckingham's ſpeech, wherein he explains the king's. Ruſhworth, t. i. p. 225.

"That as his majeſty would not have you condition with "him directly or indirectly, ſo he will not lie to a day, for "giving farther ſupply; but it was the preſſing occaſion of "Chriſtendom that made him to pitch upon a day.

"His majeſty hath here a ſervant of the king of Denmark "and another from the duke of Weymer, and yeſterday

Charles I. 1626. "ceived a letter from his ſiſter the queen of Bohemia; who "ſignified, that the king of Denmark hath ſent an ambaſſador, "with power to perfect the contract which was made at the "Hague; ſo it was not the king, but time, and the things "themſelves that preſſed a time.

"Therefore his majeſty is pleaſed to give longer time, "hoping you will not give him cauſe to put you in mind of "it again; ſo that you have a greater latitude, if the buſi- "neſs require to think further of it.

"I am commanded further to tell you, That if his majeſty "ſhould accept of a leſs ſum than will ſuffice, it will deceive "your expectations, diſappoint his allies, and conſume the "treaſure of the kingdom: Whereas, if you give largely now, "the buſineſs being at the criſis, it comes ſo ſeaſonably, it "may give a turn to the affairs of Chriſtendoms.

"But while we delay and ſuffer the time to paſs, others "abroad will take advantage of it, as the king of Spain "hath done, by concluding a peace, as it is thought, in Italy, "for the Valtoline, whereby our work is become the greater, "becauſe there can be no diverſion that way.

"As it was a good rule to fear all things and nothing, and "to be liberal was ſometimes to be thrifty; ſo in this par- "ticular, if you give largely, you ſhall carry the war to the "enemy's door, and keep that peace at home that hath been: "Whereas, on the contrary, if you draw the war at home, "it brings with it nothing but diſturbance and fear, all "courſes of juſtice ſtopt, and each man's revenue leſſened, "and nothing that can be profitable.

"Another explanation I am commanded to make, touch- "ing the grievances; wherein his majeſty means no way to "interrupt your proceedings, but hopes you will proceed in "the antient way of your predeceſſors; and not ſo much ſeek "faults, as the means to redreſs them.

"I am farther commanded to tell you, That his majeſty "intends to elect a committee of both houſes, whom he will "truſt, to take the view of his eſtate, the defects of which are "not fit for the eyes of a multitude; and this committee will "be for your eaſe, and may ſatisfy you, without caſting any "ill odour on his government, or laying open any weakneſs "that may bring ſhame upon us abroad. That which is "propoſed is ſo little, that when the payment comes, it will "bring him to a worſe eſtate than now he is in; therefore "wiſhes you to enlarge it, but leaves the augmentation to "yourſelves; but is ſorry, and touched in conſcience, that "the burthen ſhould lie on the pooreſt, who want too much

"already;

" already; yet he will not prescribe, but wish that you, who Charles I.
" were the abettors and counsellors of this war, would take 1626.
" a greater part of the burthen to yourselves; and any man
" that can find out that way, shall shew himself best affected,
" and do the best service to the king and state."

After the duke had thus spoken for the king, he made his Rushworth, address to them in his own behalf, taking this occasion to t. i. p. 227. vindicate his conduct, or rather to extol the service he had done the state. The lord Conway, secretary of state, spoke p. 231. next, and pretended, among other things, to shew, that the three subsidies and three fifteenths granted to the late king had been employed according to the parliament's intention, because nothing was disbursed but by the king's express orders, a reason which must have appeared frivolous to the house of commons g.

The explanation of the king's intentions seemed to pacify the commons a little. How great soever their discontent was, at what the king said about parliaments, they did not think proper to censure it, whether they feared to enter into so dangerous a discussion, or expected that the lords would take the affair in hand, since they were no less concerned. The commons contented themselves therefore with presenting to the king a remonstrance, to justify their proceedings. The remonstrance was preceded by an address on the same subject. But as the address was only an abstract of the remon- Annals, strance they were preparing, I shall pass it over in silence, p. 120. and insert only the remonstrance, which was thus worded:

" Most gracious sovereign,

" WHEREAS your majesty hath been pleased of late, The com-
" at sundry times, and by several means, to impart unto mons re-
" us your royal pleasure, touching some passages and pro- monstrance to the king.
" ceedings in this present parliament: We do first, with un- Rushworth,
" speakable joy and comfort, acknowledge your majesty's t. i. p. 243.
" grace and favour, in that it hath pleased you to cause it to
" be delivered unto us by the lord keeper of your great seal,
" in your own royal presence, and before both houses of
" parliament, That never king was more loving to his people,
" nor better affected to the right use of parliaments; withal,

g He showed, that there had been paid, for the four regiments in the Low-Countries; for the navy; for the ordnance and forts in England and Ireland; and for the service under count Mansfeldt; in all, 278,497 l. Rushworth, t. i. p. 232.

pro-

Charles I. 1626. "profeſſing your moſt gracious reſolution, to hear and redreſs our juſt grievances. And with like comfort, we acknowledge your majeſty's goodneſs ſhining at the very entrance of your glorious reign, in commanding the execution of the laws eſtabliſhed to preſerve the true religion of almighty God, in whoſe ſervice conſiſteth the happineſs of all kings and kingdoms.

"Yet let it not diſpleaſe your majeſty, that we alſo expreſs ſome ſenſe of juſt grief, intermixed with that great joy, to ſee the careful proceedings of our ſincere intentions ſo miſreported, as to have wrought effects unexpected, and we hope, undeſerved.

"Firſt, touching the charge againſt us in the matter concerning Mr. Coke. We all ſincerely proteſt, that neither the words mentioned in your majeſty's meſſage, nor any other of ſeditious effect were ſpoken by him, as hath been reſolved by the houſe, without one negative voice. However ſoever, in a ſpeech occaſionally uttered, he let fall ſome few words, which might admit an ill conſtruction; whereat the houſe being diſpleaſed at the delivery of them, as was expreſſed by a general and inſtant check, he forthwith ſo explained himſelf and his intention, that, for the preſent, we did forbear to take them into conſideration, which ſince we have done: and the effect thereof had before this appeared, if by importunate buſineſs of your majeſty's ſervice we had not been interrupted.

See Whitelock, p. 4.

"The like interruption did alſo befal us in the caſe of Dr. Turner; wherein the queſtion being formerly ſtated, a reſolution was ordered to have been taken that very day, on which we received your majeſty's command to attend you.

"But for our own proceedings, we humbly beſeech your majeſty to be truly informed, that before the overture from Dr. Turner, (out of our great and neceſſary care for your honour, and welfare of your realm) we had taken into ſerious conſideration, the evils which now afflict your people, and the cauſes of them, that we might apply ourſelves unto the fitteſt remedies: in the purſuit whereof, our committees (whatſoever they might have done) have in no particular proceeded otherwiſe, than either upon ground of knowledge in themſelves, or proof by examination of witneſſes, or other evidence. In which courſe of ſervice for the public good, as we have not ſwerved from the parliamentary way of our predeceſſors, ſo we conceive, that the diſcovery, and reforming of errors, is ſo far from

"lay-

" laying an aſperſion upon the preſent time and government, Charles I.
" that it is rather a great honour and happineſs to both, yield- 1626.
" ing matter to great princes, wherein to exerciſe and illu-
" ſtrate their nobleſt virtues.

" And although the grievous complaints of the merchants " from all parts, together with the common ſervice of the " ſubjects well affected to thoſe who profeſs our religion, " gave us occaſion to debate ſome buſineſſes that were partly " foreign, and had no relation to affairs of ſtate; yet we " beſeech your majeſty to reſt aſſured, it was exceeding far " from our intention, either to traduce your counſellors, or " diſadvantage your negotiations. And though ſome ex- " amples of great and potent miniſters of princes, hereto- " fore queſtioned in parliament, have been alledged, yet " was it without parallelling your majeſty's government " or councils, to any times at all, much leſs to times of " exception.

" Touching the letter of your majeſty's ſecretary, it was " firſt alledged by your advocate for his own juſtification, and " after, by direction of the committee, produced to make " good his allegation.

" And for the ſearch at the ſignet-office, the copy of a " letter being divulged, as in your majeſty's name, with " pregnant cauſe of ſuſpicion, both in the body and direction " thereof to be ſuppoſititious, the committee, out of deſire to " be cleared therein, did by their order ſend ſome of them- " ſelves to the ſignet-office, to ſearch whether there were " any records of letters of that nature, without warrant to " the officer for any, much leſs for a general, ſearch.

" But touching public records, we have not forborn, as " often as our buſineſſes have required, to make ſearch into " them, wherein we have done nothing unwarranted by the " laws of your realm, and the conſtant uſage of parlia- " ments. And if, for the eaſe of their labours, any of our " committees have deſired the help of the officers repertories, " or breviats of direction, we conceive it is no more than " any ſubject in his own affairs might have obtained for or- " dinary fees.

" Now concerning your majeſty's ſervants, and namely, " the duke of Buckingham, we humbly beſeech your ma- " jeſty to be informed by us your faithful commons; who " can have no private end but your majeſty's ſervice, and " the good of your country; that it hath been the antient, " conſtant, and undoubted right and uſage of parliaments, " to queſtion and complain of all perſons of what degree

" ſoever,

Charles I. 1626.

" ſoever, found grievous to the common-wealth, in abuſing " the power and truſt committed to them by their ſovereign. " A courſe approved not only by the examples in your fa- " ther's days, of famous memory, but by frequent prece- " dents in the beſt and moſt glorious reigns of your noble " progenitors, appearing both in records and hiſtories; with- " out which liberty in parliament, no private man, no ſer- " vant to a king, perhaps no counſellor, without expoſing " himſelf to the hazard of great enmity and prejudice, can " be a means to call great officers into queſtion for their " miſdemeanors, but the common-wealth might languiſh " under their preſſures without redreſs: and whatſoever we " ſhall do accordingly in this parliament, we doubt not but " it ſhall redound to the honour of the crown, and welfare " of your ſubjects.

" Laſtly, we moſt humbly beſeech your majeſty graciouſly " to conceive, that though it hath been the long cuſtom of " parliaments to handle the matter of ſupply with the laſt of " their buſineſſes, yet at this time, out of extraordinary re- " ſpect to your perſon, and care of your affairs, we have " taken the ſame into more ſpeedy conſideration, and moſt " happily, on the very day of your majeſty's inauguration, " with great alacrity and unanimous conſent: After a ſhort " debate we grew to the reſolution for a preſent ſupply, well " known to your majeſty.

" To which, if addition may be made of other great " things for your ſervice, yet in conſultation amongſt us, " we doubt not but it will appear, that we have not receded " from the truth of our firſt intention, ſo to ſupply you, " as to make you ſafe at home, and feared abroad, eſpecially " if your majeſty ſhall be pleaſed to look upon the way in- " tended in our promiſe, as well as to the meaſure of the " gift agreed.

" With like humility we beſeech your majeſty, not to " give ear to the officious reports of private perſons for their " own ends, which hath occaſioned ſo much loſs of time, " nor to judge our proceedings whilſt they are in agitation, " but to be pleaſed to expect the iſſue and concluſion of our " labours, which we are confident will manifeſt and juſtify " to your majeſty the ſincerity and loyalty of our hearts, " who ſhall ever place in a high degree of happineſs, the per- " forming of that duty and ſervice in parliament, which may " moſt tend to your majeſty's honour, and the good of your " kingdom."

By this remonſtrance it appears, the commons did not look upon Coke's offence as a crime deſerving ſo ſevere a puniſhment as the king imagined, eſpecially as the king had been miſinformed. Moreover, in ſhowing reſentment againſt Coke, they were afraid of diſcouraging their members, and hindering them from freely ſpeaking their minds, beſides that they ſhould thereby authorize the king to make continual complaints on the like pretences. But on the other hand, if they declared Coke entirely innocent, they were apprehenſive of ingaging in a diſcuſſion they were willing to avoid. As for Turner, they could not condemn him, ſince his motion was approved by the houſe. So, they only evaded the king's demand, for fear of offending him by a refuſal, imagining, the king would underſtand them. But as to the duke of Buckingham, the caſe was different. The king having eſtabliſhed for a principle, that the commons had not power to accuſe any of his ſervants without his permiſſion, they could not ſpeak too plainly, by reaſon of the importance of the king's pretenſions, which tended to deprive the houſe of one of their greateſt privileges. As to the ſupply, it is very viſible, the commons did not intend the king ſhould have it in his power to preſcribe them terms, but were reſolved to preſerve the right of granting what they thought proper, and when they ſaw fit. Indeed, it is of ſo great conſequence to the commons, not to loſe this right, that ſhould they ſuffer the leaſt encroachment upon it, they would aſſuredly become an empty name without any authority.

Charles I. 1626.

The commons intention in the foregoing remonſtrance.

The king did not think proper to anſwer the remonſtrance, or at leaſt required time to examine it. Mean while he deſired the commons to adjourn for a week, as the lords had done; and they did ſo accordingly.

The parliament adjourned. Ruſhworth, t. i. p. 246.

The king was extremly embarraſſed. He wanted money, and the commons had voted him three ſubſidies and three fifteenths, to which they had lately added a fourth ſubſidy. But it evidently appeared they meant not to paſs the bill, till the duke of Buckingham's affair was finiſhed. So, the king not being able to divert the charge againſt the duke, without hindering at the ſame time the ſubſidy-bill, conſented at length, that the houſe ſhould proceed in the examination of his favorite's conduct, but it was with intention to put a ſtop to it, if the affair was carried too far [h].

The king conſents to the proſecution of his favorite.

h At this time the king ſent for the biſhops, and fourteen of them repairing to him, he charged them, that in the cauſe of Briſtol and Buckingham, their conſciences being their guides, they ſhould follow only proofs, and not rumours. Ruſhworth, tom. i. p. 247. Annals, p. 122.

A few

Charles I. 1626.

A few days after, the commons ſent word to the duke of Buckingham, that they were paſſing articles of accuſation againſt him, of which he might be informed by the clerk's book, and take a copy thereof, and that they expected his anſwer, if he pleaſed to ſend any [1]. Whereupon the duke applied to the lords for leave to anſwer. But the lords did not think it convenient to permit him, under colour that he would thereby give the commons occaſion to defer the ſubſidy-bill, which they were preſently to take into conſideration. But the commons, without regarding the reaſon alledged by the lords, which was ſignified to them by the duke, continued their proceedings. Nay they reſolved to annex to the charge, an article concerning the plaiſter and potion applied and given by the duke to king James in his ſickneſs, without the advice of the phyſicians. The king hearing of this, ſent a meſſage to the commons, "That he having conſented to "their proceedings againſt the duke of Buckingham, and "hearing there is new matter intended to be brought againſt "him, nevertheleſs leaves the houſe to their own way to "preſent the buſineſs to him, or to the lords, withal adviſing "them to conſider of the ſeaſon of the year, and to avoid all "loſs of time." He would probably have been glad, as he was chiefly concerned in the article relating to the king his father's life, the commons would have left it to his determination. But they feigned not to underſtand him, and only thanked him for his meſſage.

The commons acquaint the duke with their deſign. He avoids anſwering. Ruſhworth, t. i. p. 247. Annals, p. 122.

Articles annexed to the charge againſt the duke. Ruſhworth. t. i. p. 249

The king tries in vain to elude the commons deſign.

Some interruption was given to the duke of Buckingham's accuſation, and conſequently to the ſubſidy-bill, by a new affair which unexpectedly aroſe, and which it will be neceſſary briefly to mention, though I deſign not here to deſcend to particulars. The earl of Briſtol, who had been ambaſſador in Spain for the affair of the marriage, which he had at length almoſt brought to a concluſion according to king James's deſire, had however the misfortune to diſpleaſe the prince and duke. As their aim was to hinder the earl from giving the parliament an exact account of what paſſed in Spain, they ſo managed, that at his return he was confined to his houſe, and afterwards ſent to the Tower. King James was fully ſatisfied of the earl's innocence, but was ſo little maſter of his actions the two laſt years of his life, that he dared not openly protect him. So, the prince and duke conſtrained him, on

The earl of Briſtol's affair. Ruſhworth, t. i. p. 249.—302. Franklyn's Annals, p. 123, &c.

[1] He was proxy for no leſs than fourteen lords, which being found of ill conſequence, it was ordered, that for the future no lord ſhould be capable of receiving above two proxies. See Journ. Procer. and Ruſhw. tom. i. p. 269.

divers

divers pretences, to keep him in prison, that he might not speak with him. After king James's death, the earl's case became so much the worse, as the new king and favorite, his professed enemies, were no longer obliged to use any ceremony. He remained therefore in prison till this second parliament, that is, about two years, without being brought to a trial, or even any charge entered against him. At last, knowing how the commons stood affected to the duke, he resolved to embrace this opportunity, and try to recover his liberty. He wished also to be in a condition to justify his conduct, which the duke had aspersed in order to cast on him the whole blame of what had passed in the negotiation of the prince's marriage with the infanta of Spain. He presented therefore a petition to the house of lords, showing, that being peer of the realm, he had received no summons to the parliament, desiring them to intercede for him, that he might enjoy his privilege. Whereupon the lords prayed his majesty to send a writ of summons as well to the earl of Bristol as some other peers, whose writs were also stopped, which the king granted. A summons was therefore sent to the earl, but withal, he received a letter from the lord-keeper [k], acquainting him, that his majesty would have him forbear his personal attendance. Upon this, the earl sent a second petition to the lords with the keeper's letter, telling them, it was done by the duke of Buckingham's credit, whose aim was to prevent him from discovering his crimes. Moreover, he besought the lords to permit him to bring an accusation against the duke, wherein he would demonstrate how much the duke had abused the late king, his present majesty, the state, and the parliament. The king was so offended with the earl of Bristol's boldness, that he sent a message to the lords, declaring, he was determined to exhibit before them a charge of high-treason against the earl of Bristol. After this declaration, the lords could not avoid putting the earl into the custody of the black rod. Some days after, the earl being brought to the bar of the house, the attorney-general read the charge against him in the king's name, who had corrected it in several places with his own hand. Nevertheless, the lords received the accusation entered by the earl of Bristol against the duke of Buckingham and the lord Conway, secretary of state. The king's charge against the earl was divided into three heads; namely, his offences, before

Charles I. 1626.

Rushworth. t. i. p. 260, 261.

Ib. p. 249, &c.

May 1. p. 254, 266.

See p. 249, &c.

Annals. p. 423.

[k] Rapin, by mistake, says, under the great seal. See Rushworth, tom. i. p. 260, 261.

Charles I. 1626. the prince's going to Spain: during the prince's being in Spain: and after the prince's return. But the earl made ſuch a defence, as covered his accuſers with confuſion. He plainly ſhowed, how much the duke of Buckingham had deceived the parliament in his narrative of what paſſed in Spain. This reflected on the king himſelf, who had not only atteſted the narration, but perſiſted ſtill to atteſt it as true. Wherefore he did not think fit to proſecute a ſentence againſt the earl. As the charge againſt the earl of Briſtol, his defence, and his accuſation againſt the duke of Buckingham and the lord Conway, relate rather to the reign of king James, than to that of king Charles, I think it unneceſſary to inſiſt any farther upon this affair, which would lead me too far. However, as this is a curious point: as in the earl's defence there is an exact account of what paſſed in Spain in the negotiation of the projected marriage: and as the character of James I. Charles I. and the duke of Buckingham may be there clearly ſeen, I ſhall inſert at the end of this book ſeveral papers upon this ſubject, which to me ſeem worthy the curioſity of the public.

The commons charge againſt the duke of Buckingham. May 8. Ruſhworth, t. i. p. 302. Annals, p. 150, &c.

Some days after the earl of Briſtol had given his anſwer, and preſented his charge againſt the duke and the lord Conway, the commons brought up to the lords their declaration and impeachment againſt the duke of Buckingham. It contained thirteen articles, which were explained and aggravated by the managers appointed by the commons. It is cuſtomary for the commons on ſuch occaſions, to divide the taſk among ſeveral of their members, each of whom prepares to ſpeak to the article aſſigned him [1]. Sir Dudley Diggs, who was appointed to explain and ſupport the beginning of the charge, after a ſhort prologue, read the following preamble:

The commons declaration and impeachment againſt the duke of Buckingham, May 8. Ruſhworth. t. i. p. 302.

"For the ſpeedy redreſs of great evils and miſchiefs, and "of the chief cauſe of theſe evils and miſchiefs which the "kingdom of England now grievouſly ſuffereth, and of late "years hath ſuffered; and to the honour and ſafety of our "ſovereign lord the king, and of his crown and dignity; "and to the good and welfare of his people, the commons "in this preſent parliament, by the authority of our ſaid "ſovereign lord the king, aſſembled, do, by this their bill, "ſhew and declare againſt George, duke, marquis, and earl "of Buckingham, earl of Coventry, viſcount Villers, baron "of Whaddon, great admiral of the kingdoms of England

[1] It was managed by eight members, and ſixteen more as aſſiſtants. The eight chief managers were Sir Dudley Diggs, Mr. Herbert, Mr. Selden, Mr. Glanville, Mr. Pym, Mr. Sherland, Mr. Wandesford, and Sir John Elliot. Idem. p. 302.

"and

" and Ireland, and of the principality of Wales, and of the " dominions and iſlands of the ſame, of the town of Calais, " and of the marches of the ſame, and of Normandy, Gaſ- " coign and Guienne, general-governor of the ſeas and ſhips " of the ſaid kingdom, lieutenant-general-admiral, captain- " general and governor of his majeſty's royal fleet and army " lately ſet forth, maſter of the horſe of our ſovereign lord " the king, lord warden, chancellor, and admiral of the " cinque-ports, and of the members thereof, conſtable of " Dover caſtle, juſtice in eyre of the foreſts and chaces on " this ſide the river Trent, conſtable of the caſtle of Wind- " ſor, gentleman of his majeſty's bed-chamber, one of his " majeſty's moſt honourable privy-council in his realms, both " in England Scotland, and Ireland, and knight of the moſt " honourable order of the garter: The miſdemeanours, miſ- " priſions, offences, crimes, and other matters, comprized in " the articles following; and him the ſaid duke do accuſe " and impeach of the ſaid miſdemeanours, miſpriſions, of- " fences and crimes." Charles I. 1626.

The preamble being read, Sir Dudley Diggs gave a general knowledge of the impeachment, without inſiſting upon any particular article. He only reduced the charge to four principal heads. In the firſt, he ſhowed the grievances which ſprung from ſo many offices conferred on a ſingle perſon; and pretended it was one of the chief cauſes of the evils which afflicted England, as decay of trade, loſſes at ſea, and the contempt the nation was fallen into. In the ſecond, he ſpoke in general of honours being ſold or procured by the duke for undeſerving perſons. In the third, he ſaid, as the duke had raiſed all his poor kindred to honours, ſo he had exhauſted and miſ-employed his majeſty's lands and revenues. In the fourth, he ſpoke of the remedies applied and given to the late king in his laſt ſickneſs; but he only juſt mentioned them, becauſe that article was to be enlarged upon by another manager. Diggs explains and aggravates the preamble.

As this charge was never decided, I think it needleſs to relate the particulars, or give an account of what was ſaid by each of the managers on the ſeveral articles. But that the reader may ſee in general what the duke was accuſed of, I ſhall inſert an abſtract of each article.

I. He was accuſed of ingroſſing into his hands a great number of offices, ſome whereof could hardly be executed by a ſingle perſon: and of procuring them by ill means. Abſtract of the articles of impeachment. Ruſhworth, t. i. p. 306, Annals, p. 152, &c.

II. Of purchaſing the office of high-admiral of the earl of

Charles I. 1626. of Nottingham, [for the ſum of 3000 l. and an annuity of 1000 l.]

III. Of buying the office of lord-warden of the Cinque-ports, of the late lord Zouch, [for the ſum of 1000 l. and an annuity of 500 l.]

IV. Of having neglected to guard the ſeas and protect the merchants.

V. Of confiſcating a French ſhip, called the St. Peter of Newhaven worth 40,000 l. ſterling: Of detaining the ſaid ſhip, after the king's order to reſtore her to the owner, and of taking out ſeveral things for his uſe.

VI. Of oppreſſing the Eaſt-India company, by detaining under falſe pretences their ſhips which were ready to ſail, and of compelling them to give him ten thouſand pounds, that they might not loſe their voyage.

VII. and VIII. Of delivering ſeveral merchant-ſhips and a man of war into the hands of the French king, againſt the will of the owners, to ſerve at the ſiege of Rochel.

IX. Of conſtraining ſeveral perſons to purchaſe titles of honour [m].

X. Of ſelling the office of high treaſurer (to Henry Montague viſcount Mandeville) for twenty thouſand pounds, and the office of maſter of the wards and liveries [to ſir Lionel Cranfield] for ſix thouſand.

XI. Of procuring to his kindred and allies titles of baron, viſcount, earl, without their having done the ſtate any ſervice.

XII. Of embezzling and ingroſſing the king's money and lands.

XIII. Of applying a plaſter to the late king's ſide in his laſt ſickneſs, and of giving him a potion with his own hand at ſeveral times, in the abſence and without the order of the phyſicians.

Sir John Elliot makes the epilogue. Ruſhworth, tom. i. p. 353.

These articles were enlarged upon by the ſeveral managers [n], and ſir John Elliot was appointed to make the epilogue to the impeachment, wherein he ſummed up what had been ſaid againſt the duke, and ſpoke of him in very offenſive terms, but however mentioned not the plaſter or potion.

Diggs and Elliot ſent to the Tower. Id. p. 356. Annals, p. 176.

The ſame or the next day, Diggs and Elliot were by the king's command ſent to the Tower [o]; and two days after the

m Particularly the lord Roberts of Truro, whom he forced to pay ten thouſand pounds for the title of baron. Ruſhworth, tom. i. p. 334.

n I. II. III. were enlarged upon by Mr. Herbert. IV. V. by Mr. Selden. VI. VII. VIII. by Mr. Glanville. IX. X. XI. by Mr. Pym. XII. by Mr. Sherland. XIII. by Mr. Wandeſford. Ruſhworth, tom. i. p. 394, etc.

o Upon the impeachment of the duke, a paper was privately conveyed to

the king went to the houſe of lords, and ſpoke to them after the following manner: Charles I. 1626.

" My lords,

" THE cauſe and only cauſe of my coming to you this day, is to expreſs the ſenſe I have of all your honours; for he that toucheth any of you, toucheth me in a very great meaſure. I have thought fit to take order for the puniſhing of ſome inſolent ſpeeches lately ſpoken. I have been too remiſs heretofore in puniſhing ſuch ſpeeches as concern my ſelf; not that I was greedy of their monies, but that Buckingham, through his importunity, would not ſuffer me to take notice of them, leſt he might be thought to have ſet me on, and that he might come the forwarder to his trial. And to approve his innocency as touching the matters againſt him, I myſelf can be a witneſs to clear [redacted] every one of them.

" I ſpeak not this to take any thing but of your hands; but to ſhow the reaſon why I have not hitherto puniſhed thoſe inſolent ſpeeches againſt myſelf. And now I hope you will be as tender of my honour, when time ſhall ſerve, as I have been ſenſible of yours."

The king's ſpeech to the houſe of lords, May 11. Ruſhworth, tom. i. p. 357.

The king's aim in this ſpeech was, firſt, to perſuade the lords they were all concerned in the diſreſpectful things ſpoken by the managers againſt the duke of Buckingham and ſome other members of their houſe, and that he had committed Diggs and Elliot to the Tower on purpoſe to vindicate their injured honour: but he ſucceeded not in his deſign. Secondly, by offering to be a witneſs for the duke of Buckingham, and to clear his innocence in every article of his impeachment, he propoſed to the lords a kind of dilemma, which he thought they would not be able to get clear of; for they were either

The intent of this ſpeech.

to the king, importing, that this great oppoſition againſt the duke was ſtirred up and maintained by ſuch as ſeek the deſtruction of this free monarchy. That ſince the time of Henry VI. theſe parliamentary diſcourſings might never be ſuffered, as being ſymptoms of rebellions, and dethroning our king, and no one patriot daring to oppoſe them, leſt he incur the reputation of a fool or coward in his country's cauſe. His majeſty therefore ſtrengthened himſelf ever with ſome favourite, as whom he might better truſt than many of the nobility, tainted with this oligarchy. It behoveth his majeſty to uphold the duke, who, if he be decourted, it will be the corner-ſtone, on which the demoliſhing of his monarchy will be built. For if they prevail in this, they will pull the other feathers of royalty: they will appoint him counſellors, ſervants, etc. That the king and his father are concerned in the duke's accuſation; and if he ſuffers for obeying his ſovereign, the next attempt will be to call the king to an account, etc. Idem. p. 356.

Charles I. 1626. to declare the duke innocent upon the king's evidence, or, by condemning him, openly reject his royal teſtimony, to which he imagined they would not eaſily be perſuaded. But they were not impoſed upon by this artifice, as will hereafter appear.

The commons deſire the duke may be committed.

The king was no ſooner departed from the houſe, but the commons ſent a meſſage to the lords, to deſire the duke of Buckingham might be taken into ſafe cuſtody; but the lords durſt not commit him for fear of offending the king.

The commons make a great noiſe about the impriſonment of their members. Ruſhworth, tom. i. p. 358. Annals, p. 179.

Mean while the impriſonment of Diggs and Elliot made a terrible impreſſion in the houſe of commons, who conſidered it as an expreſs breach of their privileges. Sir Dudley Carleton, one of the court-party, obſerving the unuſual, and, as he termed it, ſullen ſilence of the houſe, ſtood up and juſtified the king, ſaying, "his majeſty conceived that Diggs went beyond his commiſſion, when ſpeaking of the plaſter and potion given to king James, he ſaid, That he did forbear to ſpeak farther in regard of the king's honour. And as for ſir John Elliot, he affected to ſpeak of the duke with great contempt, and in very injurious terms. What diſpleaſed the king moſt was, that Elliot, in ſpeaking of the plaſter and potion, uſed expreſſions intimating as if there was ſomething hidden, which it was not proper to reveal, and in ſo doing exceeded the commiſſion he had received from the houſe."

Unhappily, there was nothing of truth in what was aſcribed to theſe two members, except the little reſpect they had ſhown for the duke of Buckingham; for Elliot had not mentioned the plaſter or potion, and Diggs had ſaid nothing like what he was accuſed of: wherefore the houſe of commons, taking advantage of theſe falſe charges, ordered that all the members there preſent ſhould ſign the following proteſtation:

Proteſtation of the commons. Ruſhworth, tom. i. p. 360.

"I Proteſt before Almighty God and this houſe of parliament, that I never gave conſent that ſir Dudley Diggs ſhould ſpeak theſe words that he is now charged withal, or any words to that effect; and I have not affirmed to any that he did ſpeak ſuch words, or any to that effect."

p. 361. Annals, p. 180.

Beſides this, thirty-ſix lords who were preſent at the conference, where the impeachment of the duke was preſented, atteſted under their hands, that they did not hear ſir Dudley Diggs ſpeak any ſuch words. It followed therefore from the teſtimony of the lords, and the proteſtation of the commons, either

ither that the king was falſely and maliciouſly informed, or that the charge againſt Diggs was invented to have an opportunity of puniſhing him for ſpeaking of the duke in ſo diſreſpectful a manner. Charles I. 1626.

Elliot's crime was of the ſame nature, that is, he had ſpoken of the duke in uncivil terms, though he was falſely accuſed of mentioning the plaſter in terms injurious to the king. But the commons took care to clear their two members by declaring publicly, that neither had exceeded his commiſſion. All this was not for the king's honour, who ſeeing no way to ſupport what he had done, cauſed the two impriſoned members to be releaſed. In all appearance, his deſign was to terrify the commons, but he was diſappointed.

Declaration of the ſame houſe, Ruſhworth, tom. i. p. 363.

The two priſoners are releaſed.

The king's condeſcenſion to the commons drew upon him an affair of the like nature from the lords. He had ſent the earl of Arundel to the Tower for much the ſame crime as that of Diggs and Elliot, and the lords had not complained of it: but when they ſaw the commons had obtained the releaſe of their members by inſiſting upon their privileges, they thought proper to take this occaſion to maintain their rights alſo. They preſented therefore a petition to the king, praying him to releaſe the earl of Arundel, according to the tenour of their privileges. The king perceiving how prejudicial to him this petition was, the lords pretending by means of their privileges, to limit the prerogative royal; for which reaſon he long reſiſted before he granted the lords requeſt. There were ſeveral remonſtrances from the lords to the king, and ſeveral meſſages from the king to the lords: nay, the peers went ſo far as to declare it an expreſs breach of their privileges to impriſon any of their members, the parliament ſitting, without ſentence or order of their houſe[p], and to reſolve to take no other buſineſs into conſideration till they had received ſatisfaction. At laſt the king was forced to releaſe the priſoner, though againſt his will. As by the cuſtom of England members of parliament are not privileged from arreſt in caſes of treaſon and felony, the king pretended the houſe of lords ought not to take exception at his having commited one of their members: his reaſon was, becauſe the priſoner might poſſibly be guilty of felony or treaſon, and conſequently the houſe ought to wait till it ſhould pleaſe the king to declare the cauſe of his impriſonment: But as under colour of this poſſibility, the king had ſent the earl of Arundel

The lords demand the earl of Arundel's liberty. Ibid. Annals.

The king denies it a good while.

Reaſons on both ſides. Ruſhworth, tom. i. p. 365, etc. Annals, p. 181, etc.

[p] Unleſs it be for treaſon or felony, or refuſing to give ſecurity of the peace. Ruſhworth, tom. i. p. 365.

Charles I. 1626. to the Tower, and had not yet declared the cauſe, the lords plainly ſaw the poſſibility alledged by the king, was but an artifice to evade their moſt undoubted privileges. So, the king affirmed, that as the untimely diſcovery of a treaſon might happen to be extremely prejudicial to the ſtate, he could not allow to this pretended privilege of the members of parliament, all the extent required by the lords; becauſe there were caſes, wherein, for the good of the ſtate, it was abſolutely neceſſary to limit it. But the lords replied, if, on pretence of ſuch caſes, which were very rare, the king could impriſon a peer without the conſent of the houſe and declaration of the cauſe, it would follow, that in all ſorts of caſes he might detain a peer in cuſtody as long as he pleaſed, and thereby abridge the lords of their privileges. If it is aſked, why this diſpute was never raiſed in the former reigns, the queſtion is eaſily anſwered: for if a king happened to ſend a peer to the Tower, the parliament ſitting, either the cauſe was known, or, if a ſecret, the houſe took no offence, becauſe the lords not miſtruſting the king, did not fear he would draw it into a precedent to aboliſh their privilege. But it was not the ſame in the reign of Charles I. Beſides, that the earl of Arundel was known to be ſent to the Tower only for ſpeaking too freely in the houſe [q], what the king's principles were concerning the privileges of the people was no ſecret, and it was manifeſt that upon a bare poſſibility he was endeavouring to eſtabliſh a principle which tended to render the privilege in queſtion entirely uſeleſs: and therefore the lords being warranted by the example of the commons, would not omit this opportunity to maintain their privilege.

Buckingham is choſen chancellor of the univerſity of Cambridge. Ruſhworth, tom. i. p. 371. The commons are offended at it.

Before the duke of Buckingham had given in his anſwer to the commons impeachment, the chancellorſhip of the univerſity of Cambridge becoming void by the earl of Suffolk's death, the king cauſed the duke his favourite to be elected in the room of the late chancellor. The houſe of commons were extremely offended at this election, conſidering it as a manifeſt contempt, that the duke ſhould be choſen whilſt under an impeachment, and when one of the articles againſt him was plurality of offices. Beſides, they maintained, there was a ſort of contradiction in this choice, ſince the univerſity themſelves, by their repreſentatives in parliament, had

[q] It does not appear that the earl of Arundel was committed for any thing ſaid in the houſe, but, as it is thought, for his ſon's marrying the duke of Lenox's ſiſter, whom the king deſigned for the lord Lorn. The earl of Arundel had five proxies, which were loſt by his impriſonment. Ruſhworth, tom. i. p. 363, 364.

given

given their conſent to the duke's impeachment. But the king openly ſupported the election in ſpite of the commons. Charles I. 1626.

At length, on the 8th of June, the duke gave in his anſwer to the impeachment of the houſe of commons. As I have not given the particulars of the accuſation, it would be needleſs to inſert here the anſwers, which had a neceſſary reference to what was alledged againſt the duke. This affair having never been decided, it is eaſy to judge that as the accuſation was very much aggravated, ſo the anſwers were palliated with great care: the proofs and evidences of the facts, produced for or againſt, would be the only means to inform us of the truth; but the affair was not carried ſo far. It will ſuffice therefore to ſay, that the commons deſiring a copy of the anſwer, the next day the king writ the following letter to the ſpeaker.

But the king ſupports the duke. The duke gives in his anſwer. Ruſhworth, tom. i. p. 375, etc. Annals, p. 187, etc.

"Truſty and well-beloved, etc.

"OUR houſe of commons cannot forget how often and "how earneſtly we have called upon them for the ſpeed- "ing of that aid which they intended us for our great and "weighty affairs, concerning the ſafety and honour of us "and our kingdoms: and now the time being ſo far ſpent, "that unleſs it be preſently concluded, it can neither bring "us money nor credit by the time which themſelves have fixed, "which is the laſt of this month, and being farther deferred "would be of little uſe, we being daily advertiſed from all "parts of the great preparations of the enemy ready to aſſail "us; we hold it neceſſary by theſe our letters to give them "our laſt and final admonition, and to let them know that "we ſhall account all farther delays and excuſes to be ex- "preſs denials. And therefore we will and require you to "ſignify unto them, that we do expect that they forthwith "bring in their bill of ſubſidy to be paſſed without delay or "condition, ſo as it may fully paſs the houſe by the end of "the next week at the fartheſt: which if they do not, it "will force us to take other reſolutions. But let them know, "if they finiſh this according to our deſire, that we are re- "ſolved to let them ſit together for the diſpatch of their "other affairs ſo long as the ſeaſon will permit, and after "their receſs to bring them together again the next winter. "And if by their denial or delay, any thing of ill conſe- "quence ſhall fall out either at home or abroad, we call "God and man to witneſs, that we have done our part to "prevent it by calling our people together to adviſe with us, "by opening the weight of our occaſions unto them, and by "requiring

The king's letter to the ſpeaker of the houſe of commons. Ruſhworth, tom. i. p. 390.

Charles I. 1626. "requiring their timely help and assistance in these actions "wherein we stand engaged by their own counsels. And "we will and command you that this letter be read publicly "in the house."

The king's intent in this letter.

It was manifest this letter, written at the time the duke of Buckingham was going to be tried, was but an artifice to evade it. For it was not possible, that if the subsidy bill was passed by the time fixed by the king, the duke's affair could be dispatched by the same time. It is true, the king promised to let the parliament sit "so long as the season would permit." But by that very thing he reserved to himself the liberty of proroguing it when he pleased, on pretence the season was too far advanced to sit any longer, especially as he feigned to press the subsidy-bill purely out of fear of a pretended invasion, which he said the kingdom was threatened with. It was therefore to be expected, that the duke of Buckingham's affair would be dropped, and be forced to be revived in the next session, since a prorogation puts an end to all affairs.

The commons not thinking fit to comply with the king's will, presented a fresh petition to him against popish recusants. This was to show the public, the king's answer to the petition of the Oxford parliament contained only empty promises, without being followed by any effects: they had a mind also to show that the duke of Buckingham's ill administration was not the only grievance they desired to be redressed. The petition was as follows:

"To the king's most excellent majesty,

The commons petition to the king concerning recusants. Rushworth, tom. i. p. 391. Annals, p. 195.

"YOUR majesty's most obedient and loyal subjects the "commons, in this present parliament assembled, do "with great comfort remember the many testimonies which "your majesty hath given of your sincerity and zeal of the "true religion established in this kingdom, and in particular "your gracious answer to both houses of parliament at Ox-"ford, upon their petition concerning the causes and reme-"dies of the increase of popery; that your majesty thought "fit, and would give order to remove from all places of au-"thority and government, all such persons as are either popish "recusants, or, according to the direction of former acts of "state, justly to be suspected; which was then presented as "a great and principal cause of that mischief. But not hav-"ing received so full redress herein as may conduce to the "peace of this church, and safety of this regal state, they

"hold

" hold it their duty once more to reſort to your ſacred ma- Charles I.
" jeſty, humbly to inform you that upon examination, 1626.
" they find the perſons under-written to be either recuſants,
" papiſts, or juſtly ſuſpected according to the former acts of
" ſtate, who now do, or ſince the ſitting of the parliament,
" did remain in places of government and authority and truſt,
" in your ſeveral counties of this your realm of England, and
" dominion of Wales.

Then followed a liſt of fifty-nine recuſants and ſuſpected papiſts, who were in places of truſt and authority in ſeveral counties [r].

" Wherefore they humbly beſeech your majeſty not to
" ſuffer your loving ſubjects to continue any longer diſcou-
" raged by the apparent ſenſe of that increaſe both in num-
" ber and power, which by the favour and countenance of
" ſuch like ill-affected governors accrueth to the popiſh party;
" but that, according to your own wiſdom, goodneſs, and
" piety (whereof they reſt aſſured) you will be graciouſly
" pleaſed to command that anſwer of your majeſty's to be
" effectually obſerved, and the parties above-named, and all
" ſuch others, to be put out of ſuch commiſſions and places
" of authority wherein they are now in your majeſty's realm
" of England, contrary to the acts and laws of ſtate in that
" behalf."

It was not for the king's honour to be preſſed ſo often to perform what he had ſo poſitively promiſed. But it muſt be conſidered, it was not eaſy for him to withſtand the ſollicitations and intrigues of the queen, of the duke of Buckingham, whoſe mother was a profeſſed papiſt, of ſir Richard Weſton his chief counſellor, and of the lord Conway ſecretary of ſtate, both likewiſe papiſts, ſince theſe were the men that were neareſt his perſon, and by whom he was in a manner beſet.

A few days after, the commons reſolved to wait upon the king, and preſent to him by their ſpeaker, a declaration of their conduct, ſerving for anſwer to his letter, and a petition to remove the duke of Buckingham from his perſon. The audience they had deſired being granted, the

[r] Among whom were the earl of Rutland, the viſcounts Montague and Dunbar, the lords Eure, Abergavenny, Tenham, Wotton, Morley, Mordant, St. John of Baſing, Scroop; the reſt were commoners. Ruſhworth, tom. i. p. 392.

Charles I. 1626. ſpeaker, before he preſented the anſwer, made the following ſpeech to him [s].

" Moſt gracious and dread ſovereign,

The ſpeaker's ſpeech to the king, upon his preſenting to him the petition and declaration. Ruſhworth, t. i. p. 397. Annals, p. 158.

" ACcording to that liberty of acceſs, and liberty of ſpeech " which your majeſty and your royal progenitors have " ever vouchſafed to your houſe of commons, your majeſty's " moſt humble and loyal ſubjects, the commons now aſſem- " bled in parliament, have been ſuitors for this acceſs to your " royal throne.

" And out of their conſideration of the nature, and of the " weight and importance of the buſineſs, they have thought " the attendance of the whole houſe, with their ſpeaker, not " too ſolemn; and yet they have not thought fit barely to " commit thoſe words which expreſs their thoughts to the " truſt of any man's ſpeech, but are bold to preſent them in " writing to your gracious hands, that they may not vanish, " but be more laſting than the moſt powerful words of a " more able ſpeaker are like to be.

" I have much to read, and ſhall therefore, as little as I " can, weary your majeſty with ſpeeches.

" This parchment contains two things, the one by way of " declaration, to give your majeſty an account, and humble " ſatisfaction of their clear and ſincere endeavours and inten- " tions in your majeſty's ſervice; and the other an humble " petition to your majeſty, for the removal of that great per- " ſon the duke of Buckingham, from acceſs to your royal " preſence.

" For the firſt, they beſeech your moſt excellent majeſty " to believe, that no earthly thing is ſo dear and precious to " them, as that your majeſty ſhould retain them in your " grace and good opinion; and it is grief to them, beyond " my expreſſion, that any miſinformation or miſinterpretation " ſhould at any time render their words or proceedings offen- " ſive to your majeſty.

" It is not proper for any one to hear the eccho of a voice, " that hears not the voice; and if eccho's be ſometimes heard " to double and redouble, the eccho of the eccho is ſtill fainter, " and ſounds not louder.

[s] Rapin, by miſtake, ſays two papers, but it was but one, as appears by the ſpeaker's ſpeech. Though the copy of this anſwer, containing a declaration and petition, is not to be found, it was ingroſſed and allowed of, and the ſubſtance was delivered by the ſpeaker ſir Heneage Finch. Ruſhworth, tom. i. p. 397.

" I need

I need not make the application; words miſ-reported, Charles I.
" though by an eccho, or but an eccho of an eccho, at a third 1626.
" or fourth hand, have oft a louder ſound than the voice it-
" ſelf, and may ſound diſloyalty, though the voice had no-
" thing undutiful or illoyal in it.

" Such miſinformations, they fear, have begot thoſe inter-
" ruptions and diverſions which have delayed the ripening
" and expediting of thoſe great counſels, which concern your
" majeſty's important ſervice, and have enforced this decla-
" ration.

" I paſs from that to the petition, in which my purpoſe
" is not to urge thoſe reaſons, which your majeſty may hear
" expreſſed in their own words in the language of the people.

" I am only directed to offer to your great wiſdom, and
" deep judgment, that this petition of theirs is ſuch, as may
" ſtand with your majeſty's honour and juſtice to grant.

" Your majeſty hath been pleaſed to give many royal teſti-
" monies and arguments to the world, how good and gra-
" cious a maſter you are; and that which the queen of Sheba
" once ſaid to the wiſeſt king, may without flattery be ſaid to
" your majeſty, " Happy are thoſe ſervants which ſtand con-
" tinually before you."

" But the relations by which your majeſty ſtands in a gra-
" cious aſpect towards your people, do far tranſcend, and are
" more prevalent and binding, than any relation of a maſter
" towards a ſervant; and to hear and ſatisfy the juſt and ne-
" ceſſary deſires of your people, is more honourable than any
" expreſſion of grace to a ſervant.

" To be a maſter to a ſervant, is communicable to many of
" your ſubjects; to be a king of people, is regal, and incom-
" municable to ſubjects.

" Your majeſty is truly ſtiled with that name, which the
" greateſt emperors, though they borrowed names and titles
" from thoſe countries which they gained by conqueſt, moſt
" delighted in, Pater Patriæ. And deſires of children are
" preferred before thoſe of ſervants, and the ſervant abideth
" not in the houſe for ever, but the ſon abideth ever.

" The government of a king was truly termed by your
" royal father, a politic marriage betwixt him and his peo-
" ple; and I may ſafely ſay, there was never a better union
" between a married pair, than is between your majeſty and
" your people."

Having ended his ſpeech, the ſpeaker put into the king's hands the declaration and petition, which his majeſty was ſo diſpleaſed with, that he determined to diſſolve the parliament. The king reſolves to diſſolve the parliament.

The

Charles I. 1626. The commons having intimation of it, reſolved to preſent a remonſtrance to him, of which every member was ordered to have a copy. Whilſt the remonſtrance was preparing, the lords being informed by the king himſelf of his reſolution, preſented a petition to him to divert him from his purpoſe. But he would hearken to nothing, and, on the 15th of June, cauſed the parliament to be diſſolved by a commiſſion under the great ſeal.

The lords try in vain to divert him from it. Ruſhworth, t. i. p. 398.

The parliament is diſſolved, June 15.

It was not doubted that the duke of Buckingham's intereſt was the ſole cauſe of the diſſolution. The commons were ſo perſuaded of it, that they chiefly inſiſted upon the great prejudice of the duke's credit occaſioned to the kingdom, in the remonſtrance they had prepared, but were hindred from preſenting by the diſſolution of the parliament. It will not be amiſs however to inſert here this remonſtrance.

" Moſt gracious ſovereign,

A remonſtrance drawn by the commons. Ruſhworth, t. i. p. 400. Annals, p. 399.

" WE your loyal and faithful ſubjects, the commons aſ-
" ſembled by your majeſty's moſt royal authority in
" this preſent parliament, having with all dutiful affection,
" from the time of our firſt meeting, earneſtly endeavoured
" to proceed ſpeedily in thoſe affairs, that might beſt and
" ſooneſt conduce to our diſpatch of the intended ſupply, of
" your majeſty's great deſigns, to the enlargement of your
" ſupport, and to the enabling of ourſelves, and them whom
" we repreſent, to the full and timely performance of the
" ſame; have, notwithſtanding, by reaſon of divers informa-
" tions, interruptions, and other preventions, been hitherto
" ſo retarded in the proſecution of theſe affairs, that we now
" thought it a neceſſary part of our moſt humble duties thus
" to declare, both thoſe interruptions and preventions, with
" the true original and continual cauſe of them; as alſo our
" moſt earneſt devotion of the parliamentary ſervice of your
" moſt excellent majeſty, and of the careful ſafety and de-
" fence of your dominions, crown and dignity: and we moſt
" humbly therefore beſeech your moſt excellent majeſty, to
" be graciouſly pleaſed here to caſt your eye on ſome parti-
" culars, that have relation as well to your firſt parliament as
" to this; out of which we cannot doubt, but that your great
" goodneſs may receive an ample ſatisfaction, touching our
" moſt loyal and faithful intentions.

" In the firſt parliament of the firſt year of your majeſty's
" moſt happy reign over us, the commons then aſſembled, af-
" ter they had chearfully preſented to your majeſty, as the

" firſt-

" firſt-fruits of their affections, two entire ſubſidies, were ex- Charles I.
" ceedingly preſſed by the means of the duke of Bucking- 1626.
" ham, and for his own ends, as we conceive, to enlarge
" that ſupply: which when he conceived would not be there
" effected, he procured, for the ſame ends, from your ma-
" jeſty, an adjournment of the parliament to the city of Ox-
" ford; where the commons then taking into juſt conſidera-
" tion the great miſchiefs which this kingdom variouſly hath
" ſuffered, and that chiefly by reaſon of the exorbitant power
" and frequent miſdoings of the ſaid duke, were entring into
" a parliamentary courſe of examination of thoſe miſchiefs,
" power, and miſdoings: but no ſooner was there any men-
" tion made of his name to this purpoſe, but that he, fearing
" leſt his actions might ſo have been too much laid open to
" the view of your moſt excellent majeſty, and to the juſt
" cenſure that might have then followed, preſently, through
" his miſ-informations to your majeſty, of the intentions of
" your commons (as we have juſt cauſe to believe) procured
" a diſſolution of the ſaid parliament: and afterwards alſo in
" the ſame year, through divers miſreports made to your ma-
" jeſty in his behalf, touching ſome of the members of the
" ſaid commons, who had more particularly drawn his name
" into juſt queſtion, and juſtly profeſſed themſelves averſe
" to his ends there, procured (as we cannot but conceive)
" the ſaid members to be made the ſheriffs of ſeveral counties
" for this year that followed, to the end that they might have
" all been precluded from being choſen members of the pre-
" ſent parliament, leſt they ſhould again have there queſtioned
" him; and by the like practice alſo (as we are perſuaded)
" he procured, ſoon after the ſaid diſſolution, another mem-
" ber of the ſaid houſe [t], becauſe he had juſtly profeſſed him-
" ſelf againſt his ends, to be ſent as ſecretary of your ma-
" jeſty's laſt fleet, hereby indeed to puniſh him, by ſuch
" drawing him from his practice of the law, which was his
" profeſſion, under colour of an honourable employment.

" It pleaſed your majeſty afterwards, in February laſt, to
" call this preſent parliament, wherein though none of thoſe
" whom the ſaid duke had ſo procured to be made high-
" ſheriffs have ſat as members; yet we finding in ourſelves
" the like affection, firſt to the ſervice of your majeſty, and
" next to the good of the commonwealth, we took into ſeri-
" ous conſideration ſeveral propoſitions, how for the ſafety
" and happineſs of your majeſty's kingdoms and allies, we
" might enlarge your ſupports, and add to the military ſtrength

[t] Mr. Glanvile,

" without

Charles I. 1626.

" without charge to the poorer ſort of your ſubjects, and give
" a larger ſupply to your majeſty for your inſtant and preſſing
" occaſions, than hath ever yet but once been given in par-
" liament: whereupon, for the enabling of ourſelves, and
" thoſe whom we repreſent, we conceive it firſt neceſſary to
" ſearch into the cauſes of thoſe miſchiefs which this your
" kingdom ſuffereth, and divers of the grievances that over-
" burden your ſubjects; without doing of which, we could
" neither be faithful to your majeſty, nor to the country that
" doth truſt and employ us; as your royal father alſo, of bleſ-
" ſed memory, admoniſhed the houſe of commons in the
" fourth ſeſſion of his firſt parliament. In this conſideration
" we found, that the moſt preſſing and comprehenſive miſ-
" chief and grievance that he ſuffered, was fundamentally ſet-
" tled in the vaſt power and enormous actions of the ſaid
" duke, being ſuch, that by reaſon of his plurality of offices,
" all gotten by ambition, and ſome for money, expreſsly a-
" gainſt the laws of your realm; his breach of truſt in not
" guarding the ſeas; his high injuſtice in the admiralty, his
" extortion; his delivering over the ſhips of this kingdom in-
" to the hands of a foreign prince; his procuring of the com-
" pulſory buying of honour for his own gain; his unexampled
" exhauſting of the treaſures and revenues of the kingdom;
" his tranſcendent preſumption of that unhappy applying of
" phyſic to your royal father of bleſſed memory, few days be-
" fore his death; and ſome other his offences carefully and
" maturely examined by us, we made a parliamentary charge
" of the ſame matters and offences againſt him, to the lords,
" by your majeſty aſſembled in parliament, there expecting
" ſome remedy by a ſpeedy proceeding againſt him: but,
" may it pleaſe your moſt excellent majeſty, not only during
" the time of our examination of the matters and offences of
" the ſame charge, we were diverſly interrupted and diverted
" by meſſages procured through miſinformation from your ma-
" jeſty, which with moſt humble duty and reverence we did
" ever receive; whence it firſt fell out, that ſo not only much
" time was ſpent amongſt us, before the ſame charge was
" perfected, but alſo within two days next after the ſame charge
" was tranſmitted by us to the lords, upon untrue and ma-
" licious informations, privately and againſt the privilege of
" parliaments, given to your majeſty, of certain words ſup-
" poſed to have been ſpoken by Sir Dudley Diggs and Sir
" John Elliot, knights, two of the members of our houſe, in
" their ſervice of the tranſmitting of the ſaid charge, both of
" them having been eſpecially employed in the chairs of com-

" mittees

" mittees with us, about the examination of the ſaid matters Charles I.
" and offences, they were both by your majeſty's command 1626.
" committed to cloſe impriſonment in the Tower of Lon-
" don, and their lodgings preſently ſearched, and their pa-
" pers there found, preſently taken away; by reaſon whereof
" not only our known privileges of parliament were infring-
" ed, but we ourſelves, that, upon full hope of ſpeedy courſe
" of juſtice againſt the ſaid duke, were preparing with all du-
" tiful affection to proceed to the diſpatch of the ſupply,
" and other ſervices to your majeſty, were wholly, as the
" courſe and privilege of parliament binds us, diverted for
" divers days, to the taking only into conſideration ſome
" courſes for the ratifying and preſervation of the privileges
" ſo infringed; and we think it our duties, moſt gracious ſo-
" vereign, moſt rightly to inform hereby your moſt excellent
" majeſty, of the courſe held in the commitment of the two
" members: for, whereas by your majeſty's warrant to your
" meſſengers for the arreſting of them, you were pleaſed to
" command, that they ſhould repair to their lodgings, and
" there take them; your majeſty's principal ſecretary, the
" lord Conway, gave the ſaid meſſengers (as they affirmed)
" an expreſs command, contrary to the ſaid warrants, that
" they ſhould not go to their lodgings, but to the houſe of
" commons, and there take them; and if they found them
" not there, they ſhould ſtay until they were come into the
" houſe, and apprehend them whereſoever elſe they ſhould find
" them. Which, beſides that it is contrary to your majeſty's
" command, is an apparent teſtimony of ſome miſchievous
" intention there had againſt the whole houſe of commons,
" and againſt the ſervice intended to your majeſty. All
" which, with the ſeveral interruptions that preceded it, and
" the miſinformation that hath cauſed all of them, we can-
" not doubt but that they were wrought and procured by
" the duke, to his own behoof, and for his advantage, eſpe-
" cially becauſe the ſaid interruptions have, through miſinfor-
" mation, come amongſt us, only at ſuch times wherein we
" have had the matters and offences charged againſt him in
" agitation; but your majeſty, out of your great goodneſs
" and juſtice, being afterwards informed truly of our privi-
" lege, and the demerit of the cauſe that concerned our two
" members, graciouſly commanded the delivery of them out
" of the Tower, for which we render unto your majeſty moſt
" humble thanks; and were then again, by reaſon of our
" hopes of the diſpatch of proceedings with the lords upon
" our charge againſt him the ſaid duke, in a chearful purpoſe

Charles I. 1626. "to go on with the matter of ſupply, and other ſervices to your majeſty, when again theſe hopes failed in us, by reaſon of ſome new exorbitances now lately ſhewed in the exerciſe of his ſo great power and ambition; for by ſuch his power and ambition, notwithſtanding our declaration againſt him for his ſo great plurality of offices, he alſo procured to himſelf, by the ſollicitation of his agents, and of ſuch as depended upon him, the office of chancellor of the univerſity of Cambridge; whereas the ſame univerſity having two burgeſſes in parliament, did, by the ſame burgeſſes, a few weeks before, conſent with us in the charge againſt him for his ambition, for procuring ſuch a plurality of offices; ſuch was his ambition to ſue for it, ſuch was his power to make them give it him, contrary to what themſelves had agreed in parliament with all the commons of England. And he procured alſo the ſame office, by the ſpecial labours and endeavour (as we are informed) of a factious party, who adhereth to that dangerous innovation of religion, publiſhed in the ſeditious writings of one Richard Montague clerk; of whom it is thence alſo, and heretofore upon other reaſons it hath been, conceived, that the ſaid duke is, and long hath been, an abettor and protector.

"Theſe actions of the ſaid duke have thus among us hindered the ſervice of your majeſty, by reaſon both of the interruptions that have ſo neceſſarily accompanied them, and of the prevention of our chearfulneſs, which otherwiſe had long ſince been moſt effectually ſhewed in us, that having nothing elſe in our cares, next our duty to God, but the loyal ſervice of your majeſty, the ſafety of your kingdom, and the ſubſiſtence of ourſelves, and thoſe whom we repreſent, for the continuance of that ſervice and ſafety which we cannot hope for: and we beſeech your moſt excellent majeſty, graciouſly to receive this our humble and free proteſtation, that we cannot hope for it, ſo long as we thus ſuffer under the preſſures of the power and ambition of the ſaid duke, and the divers and falſe informations ſo given to your majeſty on his behalf, and for his advantage; eſpecially when we obſerve alſo, that in ſuch his greatneſs, he preventeth the giving of true information to your majeſty, in all things that may any ways reflect to his own miſdoings, to ſhew unto your majeſty, the true ſtate of your ſubjects and kingdoms, otherwiſe than as it may be repreſented for his own ends. And to that purpoſe alſo hath he procured ſo many perſons depending on him, either by alliance or advancement, to places of eminency near your ſacred

"perſon.

" perſon. Through his miſinformation of that kind alſo, and Charles I.
" power, we have ſeen, to our great grief, both in the time 1626.
" of your majeſty's royal father of bleſſed memory, and of
" your majeſty, divers officers of the kingdom, ſo often by him
" diſplaced and altered, that within theſe few years paſt, ſince
" the beginning of his greatneſs, more ſuch diſplacings and
" alterations have by his means happened, than in many years
" before them: neither was there in the time of your royal
" father of bleſſed memory, any ſuch courſe held, before it
" was by the practice of the ſaid duke thus induced. And
" ſince that time, divers officers of the crown, not only in this
" your kingdom of England, but alſo in Ireland, as they have
" been made friends, or adverſe to the ſaid duke, have been
" either ſo commended, or miſrepreſented by him to his ſo-
" vereign, and by his procurement ſo placed or diſplaced, that
" he hath always herein, as much as in him lay, made his
" own ends and advantage the meaſure of the good or ill of
" your majeſty's kingdoms.

" But now at length, may it pleaſe your moſt excellent
" majeſty, we have received from the lords, a copy of the
" ſaid duke's anſwer to our charge tranſmitted againſt him;
" whereunto we ſhall preſently in ſuch ſort reply, according
" to the laws of parliament, that unleſs his power and prac-
" tice again undermine our proceedings, we do not doubt,
" but we ſhall upon the ſame have judgment againſt him.

" In the times alſo (moſt gracious ſovereign) of theſe in-
" terruptions which came amongſt us, by reaſon of the pro-
" curement of two of our members committed, a gracious
" meſſage was formerly received from your majeſty, wherein
" you had been pleaſed to let us know, that if you had not a
" timely ſupply, your majeſty would betake yourſelf to new
" counſels; which we cannot doubt were intended by your
" moſt excellent majeſty to be ſuch as ſtood with juſtice and
" the laws of this realm. But theſe words, New Counſels,
" were remembred in a ſpeech made amongſt us, by one of
" your majeſty's privy-council and lately a member of us [u],
" who in the ſame ſpeech told us, he had often thought of
" thoſe words, New Counſels; that in his conſideration of
" them, he remembred, that there were ſuch kinds of parlia-
" ments antiently among other nations, as are now in Eng-
" land; that in England he ſaw the country-people live in
" happineſs and plenty, but in theſe other nations he ſaw

[u] Sir Dudley Carleton; who was, on May 22, 1626, created baron Carleton of Imbercourte. Rymer, tom. xviii. p. 715.

Charles I. 1626. "them poor both in perſons and habit, or to that effect; "which ſtate and condition happened (as he ſaid) to them, "where ſuch New Counſels were taken, as that the uſe of "their parliaments ended.

"This intimation, may it pleaſe your majeſty, was ſuch, "as alſo gave juſt cauſe to fear, there were ſome ill miniſters "near your majeſty, that in behalf of the ſaid duke, and "together with him, who is ſo ſtrangely powerful, were ſo "much againſt the parliamentary courſe of this kingdom, as "they might perhaps adviſe your moſt excellent majeſty ſuch "new counſels as theſe, that fell under the memory and con-"ſideration of that privy-counſellor. And one eſpecial reaſon "among others hath increaſed that fear among us, for that "whereas the ſubſidies of tonnage and poundage, which de-"termined upon the death of your moſt royal father, our "late ſovereign, and were never payable to any of your "majeſty's anceſtors, but only by a ſpecial act of parliament, "and ought not to be levied without ſuch an act; yet ever "ſince the beginning of your majeſty's happy reign over us, "the ſaid ſubſidies have been levied by ſome of your majeſty's "miniſters, as if they were ſtill due; although alſo one par-"liament hath been ſince then begun, and diſſolved by "procurement of the ſaid duke, as is before ſhewed, wherein "no act paſſed for the ſame ſubſidies. Which example is "ſo much againſt the conſtant uſe of former times, and the "known right and liberty of your ſubjects, that it is an ap-"parent effect of ſome new counſels given againſt the ancient "ſettled courſe of government of this your majeſty's king-"dom, and chiefly againſt the right of your commons; as if "there might be any ſubſidy, tax, or aid, levied upon them, "without their conſent in parliament, or contrary to the "ſettled laws of this kingdom. But if any ſuch do ſo ill an "office, as by the miſ-repreſentation of the ſtate, and right "of your majeſty's loyal ſubjects, adviſe any ſuch new coun-"ſels, as the levying any aid, tax or ſubſidy, among your "people, contrary to the ſettled laws of your kingdom, we "cannot, moſt gracious ſovereign, but eſteem them that ſhall "ſo adviſe, not only as vipers, but peſts to their king and "commonwealth, (as all ſuch were to both houſes of par-"liament, expreſly ſtiled by your moſt royal father) but alſo "capital enemies, as well to your crown and dgnity, as "to the commonwealth. And we ſhall, for our parts, in "parliament ſhew, as occaſion ſhall require, and be ready "to declare their offences of this kind, ſuch as that may be

"reward-

" rewarded with the higheſt puniſhment, as your laws inflict Charles I.
" on any offenders. 1626.

" Theſe, and ſome of theſe things, amongſt many other, ——
" (moſt gracious ſovereign) are thoſe which have ſo much
" prevented a right underſtanding between your majeſty and
" us, and which have poſſeſſed the hearts of your people and
" loyal commons with unſpeakable ſorrow and grief, finding
" apparently all humble and hearty endeavours miſinterpre-
" ted, hindered, and now at laſt almoſt fruſtrated utterly, by
" the interpoſition of the exceſſive and abuſive power of one
" man; againſt whom we have juſt cauſe to proteſt, not
" only in regard of the particulars wherewith he hath been
" charged, which parliamentary way we are enforced to in-
" ſiſt upon, as matters which lie in our notice and proof, but
" alſo becauſe we apprehend him of ſo unbridled ambition,
" and ſo averſe to the good and tranquillity of the church
" and ſtate, that we verily believe him to be an enemy to
" both: And therefore unleſs we would betray our own duties
" to your majeſty, and thoſe from whom we are truſted, we
" cannot but expreſs our infinite grief, that he ſhould have
" ſo great power and intereſt in your princely affections, and
" under your majeſty, wholly in a manner to engroſs to him-
" ſelf the adminiſtration of your affairs of the kingdom,
" which by that means is drawn into a condition moſt mi-
" ſerable and hazardous.

" Give us then leave, moſt dear ſovereign, in the name
" of all the commons of this your kingdom, proſtrate at the
" feet of your ſacred majeſty, moſt humbly to beſeech you,
" even for the honour of almighty God, whoſe religion is di-
" rectly undermined by the practice of that party whom
" this duke ſupports; for your honour, which will be much
" advanced in the relieving of your people, in this their great
" and general grievance; for the honour, ſafety, and welfare
" of your kingdom, which by this means is threatned with
" almoſt unavoidable dangers; and for the love which your
" majeſty, as a good and loving father, bears unto your good
" people, to whom we profeſs, in the preſence of almighty
" God, (the ſearcher of all hearts) you are as highly eſteem-
" ed and beloved as ever any of your predeceſſors were, that
" you would be graciouſly pleaſed to remove this perſon from
" acceſs to your ſacred preſence, and that you would not
" balance this one man with all theſe things, and with the
" affairs of the chriſtian world, which do all ſuffer ſo far as
" they have relation to this kingdom, chiefly by his means.

Charles I. 1626. "For we proteſt to your majeſty, and to the whole world, "that until this great perſon be removed from intermeddling "with the great affairs of ſtate, we are out of hope of any "good ſucceſs; and do fear that any money we ſhall or can "give, will through his miſ-employment, be turned rather to "the hurt and prejudice of your kingdom, than otherwiſe, "as by lamentable experience we have found, in thoſe large "ſupplies we have formerly and lately given.

"But no ſooner ſhall we receive redreſs and relief in this, "(which, of all others, is our moſt inſupportable grievance) "but we ſhall forthwith proceed to accompliſh your majeſty's "own deſire, for ſupply, and likewiſe with all chearfulneſs "apply ourſelves to the perfecting of divers other great things, "ſuch as we think no one parliament in one age can parallel, "tending to the ſtability, wealth, and ſtrength, and honour "of this your kingdom, and the ſupport of your friends and "allies abroad: And we doubt not but through God's "bleſſing, as you are the beſt, ſo ſhall you ever be the beſt "beloved, and greateſt monarch that ever ſat on the royal "throne of this famous kingdom."

Having thus ſeen the complaints of the houſe of commons againſt the duke of Buckingham, or rather againſt the king himſelf, who was governed by his favorite, and had ſeveral times declared, that the duke did nothing without his orders, it is but juſt we ſhould now ſee the king's complaints againſt the commons, and the grounds and cauſes of his diſſolving this, and the former parliament. Though his declaration publiſhed on this occaſion be very long, as well as the foregoing remonſtrance, I believed it neceſſary to inſert the whole, that the reader, by comparing them together, may be able to form a clearer idea of the cauſes and origin of the diviſions between the king and the parliament, through the whole courſe of this reign.

The king's declaration, notifying the cauſes of aſſembling and diſſolving the two laſt parliaments.

June 23. Rushworth, t. i. p. 406. Annals, p. 203. "THE king's moſt excellent majeſty, ſince his happy acceſs to the imperial crown of this realm, having by "his royal authority ſummoned and aſſembled two ſeveral "parliaments; the firſt whereof was in Auguſt laſt, by adjournment held at Oxford, and there diſſolved; and the "other begun in February laſt, and continued until the "fifteenth

" fifteenth day of this preſent month of June, and then, to Charles I.
" the unſpeakable grief of himſelf, and (as he believeth) of 1626.
" all his good and well affected ſubjects, diſſolved alſo: Al-
" though he well knoweth that the calling, adjourning, pro-
" roguing, and diſſolving of parliaments, being his great
" council of the kingdom, do peculiarly belong unto himſelf
" by an undoubted prerogative inſeparably united to his im-
" perial crown; of which, as of his other royal actions, he
" is not bound to give an account to any but to God
" only, whoſe immediate lieutenant and vicegerent he is in
" theſe realms and dominions, by the divine providence com-
" mitted to his charge and government: yet foraſmuch as by
" the aſſiſtance of the Almighty, his purpoſe is ſo to order
" himſelf and all his actions, eſpecially in the great and pub-
" lic actions of ſtate, concerning the weal of his kingdoms,
" as may juſtify themſelves, not only to his own conſcience,
" and to his own people, but to the whole world; his ma-
" jeſty hath thought it fit and neceſſary, as the affairs now
" ſtand both at home and abroad, to make a true, plain,
" and clear declaration of the cauſes which moved his ma-
" jeſty to aſſemble, and after enforced him to diſſolve theſe
" parliaments, that ſo the mouth of malice itſelf may be
" ſtopped, and the doubts and fears of his own good ſubjects
" at home, and of his friends and allies abroad may be ſa-
" tisfied, and the deſerved blame of ſo unhappy accidents
" may juſtly light upon the authors thereof.

" When his majeſty, by the death of his dear and royal
" father of every bleſſed memory, firſt came to the crown,
" he found himſelf engaged in a war with a potent enemy;
" not undertaken raſhly, nor without juſt and honourable
" grounds, but enforced for the neceſſary defence of himſelf
" and his dominions, for the ſupport of his friends and allies,
" for the redeeming of the ancient honour of this nation,
" for the recovery of the patrimony of his dear ſiſter, her
" conſort, and their children, injuriouſly, and under colour
" of treaties and friendſhip, taken from them, and for the
" maintenance of the true religion, and invited thereunto, and
" encouraged therein by the humble advice of both the houſes
" of parliament, and by the large promiſes and proteſtations
" to his late majeſty, to give him full and real aſſiſtance in
" thoſe enterprizes, which were of ſo great importance to this
" realm, and to the general peace and ſafety of all his friends
" and allies; but when his majeſty entered into a view of
" his treaſure, he found how ill provided he was to proceed

Charles I. 1626. "effectually with ſo great an action, unleſs he might be "aſſured to receive ſuch ſupplies from his loving ſubjects, as "might enable him to manage the ſame.

"Hereupon his majeſty, being willing to tread in the ſteps "of his royal progenitors, for the making of good and "wholſome laws, for the better government of his people, "for the right underſtanding of their true grievances, and for "the ſupply of moneys to be employed for thoſe public ſer- "vices, he did reſolve to ſummon a parliament with all con- "venient ſpeed he might, and finding a former parliament "already called in the life of his father, he was deſirous, for "the ſpeedier diſpatch of his weighty affairs, and gaining "time, to have continued the ſame without any alteration "of the members thereof, had he not been adviſed to the "contrary by his judges and council at law, which he deſired "to avoid. But as ſoon as poſſible he could, he ſummoned "a new parliament, which he did with much confidence and "aſſurance of the love of his people, that thoſe (who had, "not long before, with ſome importunity won his father to "break off his former treaties with Spain, and to effect it, "had uſed mediation of his now majeſty, being then prince, "and a member of the parliament, and had promiſed in par- "liament their utmoſt aſſiſtance, for the enabling of his late "majeſty to undergo the war; which they then foreſaw might "follow) would aſſuredly have performed it to his now ma- "jeſty, and would not have ſuffered him, in his firſt enter- "priſe of ſo great an expectation, to have run the leaſt "hazard through their defaults.

"This parliament (after ſome adjournment, by reaſon of "his majeſty's unavoidable occaſions interpoſing) being aſ- "ſembled on the eighteenth day of June, it is true, that his "commons in parliament taking into their due and ſerious "conſideration the manifold occaſions, which at his firſt "entry did preſs his majeſty, and his moſt important affairs, "which both at home and abroad were then in action, did "with great readineſs and alacrity, as a pledge of their moſt "bounden duty and thankfulneſs, and as the firſt-fruits of "the moſt dutiful affections of his loving and loyal ſubjects, "devoted to his ſervice, preſent his majeſty with the free and "chearful gift of two entire ſubſidies; which their gift, "and much more the freeneſs and heartineſs expreſſed in the "giving thereof, his majeſty did thankfully and lovingly ac- "cept: But when he had more narrowly entered into the "conſideration of his great affairs, wherein he was em-

"barqued,

" barqued, and from which he could not, without much dif- Charles I.
" honour and diſadvantage, withdraw his hand, he found that 1626.
" this ſum of money was much ſhort of that which of ne-
" ceſſity muſt be preſently expended, for the ſetting forward
" of thoſe great actions, which by advice of his council, he
" had undertaken, and were that ſummer to be purſued. This
" his majeſty imparted to his commons houſe of parliament;
" but before the ſame could receive that debate and due con-
" ſideration which was fit, the fearful viſitation of the plague
" in and about the cities of London and Weſtminſter, where
" the lords and the principal gentlemen of quality of his
" whole kingdom were, for the time of this their ſervice,
" lodged and abiding, did ſo much increaſe, that his majeſty,
" without extreme peril to the lives of his good ſubjects,
" which were dear unto him, could not continue the par-
" liament any longer in that place.

" His majeſty therefore on the eleventh day of July then
" following, adjourned the parliament from Weſtminſter,
" until the firſt day of Auguſt then following, at the city of
" Oxford. And his highneſs was ſo careful to accommodate
" his lords and commons there, that as he made choice of
" that place, being then the freeſt of all others from the
" danger of that grievous ſickneſs, ſo he there fitted the par-
" liament-men with all things convenient for their enter-
" tainment; and his majeſty himſelf being in his own heart
" ſincere and free from all ends upon his people, which the
" ſearcher of hearts beſt knoweth, he little expected that any
" miſconſtruction of his actions would have been made as
" he there found. But when the parliament had been a
" while aſſembled, and his majeſty's affairs opened unto them,
" and a further ſupply deſired as neceſſity required, he found
" them ſo ſlow, and ſo full of delays and diverſions in their
" reſolutions, that before any thing could be determined, the
" fearful contagion daily increaſed, and was diſperſed into all
" parts of this kingdom, and came home even to their doors
" where they aſſembled. His majeſty therefore rather pre-
" ferred the ſafety of his people from that preſent and viſible
" danger, than the providing for that which was more re-
" mote, but no leſs dangerous to the ſtate of this kingdom,
" and of the affairs of that part of Chriſtendom which then
" were, and yet are, in friendſhip and alliance with his ma-
" jeſty. And thereupon his majeſty, not being then able to
" diſcern when it might pleaſe God to ſtay his hand of viſi-
" tation, nor what place might be more ſecure than other,

" at

Charles I. 1626. " at a time convenient for their re-aſſembling, his majeſty " diſſolved that parliament.

" That parliament being now ended, his majeſty did not " therewith caſt off his royal care of his great and important " affairs; but by the advice of his privy council, and of his " council of war, he continued his preparations and former " reſolutions; and therein not only expended thoſe monies, " which by the two ſubſidies aforeſaid were given unto him " for his own private uſe, whereof he had too much occaſion, " as he found the ſtate of his exchequer at his firſt entrance, " but added much more of his own, as by his credit, and " the credit of ſome of his ſervants, he was able to compaſs " the ſame. At laſt, by much diſadvantage, by the retard- " ing of proviſions, and uncertainty of the means, his navy " was prepared and ſet to ſea, and the deſigns unto which " they were ſent, and eſpecially directed, were ſo probable, " and ſo well adviſed, that had they not miſcarried in the " execution, his majeſty is well aſſured, they would have " given good ſatisfaction, not only to his own people, but to " all the world, that they were not lightly or unadviſedly " undertaken and purſued. But it pleaſed God, who is the " Lord of Hoſts, and unto whoſe providence and good pleaſure " his majeſty doth, and ſhall ſubmit himſelf, and all his en- " deavours, not to give that ſucceſs which was deſired; and " yet were thoſe attempts not altogether ſo fruitleſs, as the " envy of the times hath apprehended, the enemy receiving " thereby no ſmall loſs, nor our party no little advantage. " And it would much avail to further his majeſty's great " affairs, and the peace of Chriſtendom, which ought to be " the true end of all hoſtility, were theſe firſt beginnings, " which are moſt ſubject to miſcarry, well ſeconded and pur- " ſued, as his majeſty intended, and as in the judgment of " all men, converſant in his actions of this nature, were fit " not to have been neglected.

" Theſe things being thus acted, and God of his infinite " goodneſs, beyond expectation, aſſwaging the rage of the " peſtilence, and in a manner, of a ſudden reſtoring health " and ſafety to the cities of London and Weſtminſter, which " are the fitteſt places for the reſort of his majeſty, his lords " and commons, to meet in parliament; his majeſty, in the " depth of winter, no ſooner deſcried the probability of a " ſafe aſſembling of his people, and in his princely wiſdom " and providence foreſaw, that if the opportunity of ſeaſon " ſhould be omitted, preparations both defenſive and offenſive

" could

" could not be made in ſuch ſort, as was requiſite for their Charles I.
" common ſafety, but he adviſed and reſolved of the ſum- 1626.
" moning of a new parliament, where he might freely com-
" municate the neceſſities of the ſtate, and the counſel and
" advice of the lords and commons in parliament, who were
" the repreſentative body of the whole kingdom, and the
" great counſel of the realm, might proceed in theſe enter-
" priſes, and be enabled thereunto, which concern the com-
" mon good, ſafety and honour both of prince and people;
" and accordingly the 6th of February laſt, a new parliament
" was begun. At the firſt meeting, his majeſty did forbear
" to preſs them with any thing which might have the leaſt
" appearance of his own intereſt, but recommended unto
" them the care of making good laws, which are the ordi-
" nary ſubject for a parliament.

" His majeſty believing, that they could not have ſuffered
" many days, much leſs many weeks, to have paſſed by,
" before the apprehenſion and care of the common ſafety of
" this kingdom, and the true religion profeſſed and main-
" tained therein, and of our friends and allies, who muſt
" proſper, or ſuffer with us, would have led them to a due
" and timely conſideration of all the means which might beſt
" conduce to thoſe ends; which the lords of the higher
" houſe, by a committee of that houſe, did timely and ſea-
" ſonably conſider of, and invited the commons to a con-
" ference concerning that great buſineſs: At which con-
" ference, there were opened unto them the great occaſions
" which preſſed his majeſty, which making no impreſſion
" with them, his majeſty did, firſt by meſſage, and after by
" letters, put the houſe of commons in mind of that which
" was moſt neceſſary, the defence of the kingdom, and due
" and timely preparations for the ſame.

" The commons houſe after this, upon the 27th of March
" laſt, with one unanimous conſent at firſt, agreed to give
" unto his majeſty three entire ſubſidies, and three fifteens,
" for a preſent ſupply unto him; and upon the 26th of April
" after, upon ſecond cogitations, they added a fourth ſub-
" ſidy, and ordered the days of payment for them all, where-
" of the firſt ſhould have been on the laſt day of this preſent
" June. Upon this, the king of Denmark, and other princes
" and ſtates, being engaged with his majeſty in this common
" cauſe, his majeſty fitted his occaſions according to the times
" which were appointed for the payment of thoſe ſubſidies
" and fifteens, and haſted on the lords committees, and his

" council

Charles I. 1626.

" council of war, to perfect their reſolutions for the order-
" ing and ſettling of his deſigns; which they accordingly
" did, and brought them to that maturity, that they found
" no impediment to a final concluſion of their counſels, but
" want of money to put things into action. His majeſty
" hereupon, who had with much patience expected the real
" performance of that which the commons had promiſed,
" finding the time of the year poſting away, and having in-
" telligence not only from his own miniſters and ſubjects
" in foreign parts, but from all parts of Chriſtendom, and
" of the great and powerful preparations of the king of Spain,
" and that his deſign was upon this kingdom, or the king-
" dom of Ireland, or both, (and it is hard to determine
" which of them would be of worſe conſequence) he ac-
" quainted the houſe of commons therewith, and laid open
" unto them truly and clearly, how the ſtate of things then
" ſtood, and yet ſtand, and at ſeveral times, and upon ſe-
" veral occaſions reiterated the ſame: but that houſe being
" abuſed by the violent and ill-adviſed paſſions of a few mem-
" bers of the houſe, for private and perſonal ends, ill be-
" ſeeming public perſons, truſted by their country, as then
" they were, not only neglected, but wilfully refuſed to
" hearken to all the gentle admonitions which his majeſty
" could give them, and neither did nor would intend any
" thing, but the proſecution of one of the peers of this realm,
" and that in ſuch a diſordered manner, as being ſet at their
" own inſtance into a legal way, wherein the proofs on ei-
" ther part would have ruled the cauſe, which his majeſty
" allowed, they were not therewith content, but in their in-
" temperate paſſions and deſires to ſeek for errors in another,
" fell into a greater error themſelves, and not only neglect-
" ed to give juſt ſatisfaction to his majeſty in ſeveral caſes
" which happened concerning his regality, but wholly for-
" got their engagements to his majeſty for the public defence
" of the realm: whereupon his majeſty wrote the fore-
" mentioned letter to the ſpeaker, dated the ninth day of
" June 1626.

" Notwithſtanding which letter read in the houſe, being a
" clear and gracious manifeſt of his majeſty's reſolutions,
" they never ſo much as admitted one reading to the bill of
" ſubſidies, but inſtead thereof, they prepared and voted a
" remonſtrance or declaration, which they intended to pre-
" ſer to his majeſty, containing (though palliated with gloſſing
" terms) as well diſhonourable aſperſions upon his majeſty
" and upon the ſacred memory of his deceaſed father, as alſo

" dilatory

" dilatory excuſes for their not proceeding with the ſubſidies, Charles I.
" adding thereto alſo coloured conditions, croſſing thereby 1626.
" his majeſty's direction; which his majeſty underſtanding,
" and eſteeming (as he had cauſe) to be a denial of the pro-
" miſed ſupply, and finding that no admonitions could move,
" no reaſons or perſuaſions could prevail, when the time was
" ſo far ſpent, that they had put an impoſſibility upon them-
" ſelves to perform their promiſes, which they eſteemed all
" gracious meſſages unto them to be but interruptions: his
" majeſty, upon mature adviſement, diſcerning that all further
" patience would prove fruitleſs, on the fifteenth day of this
" preſent month he hath diſſolved this unhappy parliament:
" the acting whereof, as it was to his majeſty an unexpreſſible
" grief, ſo the memory thereof doth renew the hearty ſor-
" row, which all his good and well-affected ſubjects will
" compaſſionate with him.

" Theſe paſſages his majeſty hath at the more length, and
" with the true circumſtances thereof, expreſſed and pub-
" liſhed to the world, leſt that which hath been unfortunate
" in itſelf, through the malice of the author of ſo great a
" miſchief, and the malevolent report of ſuch as are ill-affected
" to this ſtate, or the true religion here profeſſed, or the
" fears or jealouſies of friends and dutiful ſubjects, might be
" made more unfortunate in the conſequences of it, which
" may be of worſe effect than at the firſt can be well appre-
" hended; and his majeſty being beſt privy to the integrity
" of his own heart, for the conſtant maintaining of the ſin-
" cerity and unity of the true religion profeſſed in the church
" of England, and to free it from the open contagion of
" popery, and ſecret infection of ſchiſm, of both which, by
" his public acts and actions, he hath given good teſtimony,
" and with a ſingle heart, as in the preſence of God, who
" can beſt judge thereof, purpoſeth reſolutely and conſtantly
" to proceed in the due execution of either; and obſerving
" the ſubtilty of the adverſe party, he cannot but believe,
" that the hand of Joab hath been in this diſaſter, that the
" common incendaries of Chriſtendom have ſubtilly and ſe-
" cretly inſinuated thoſe things, which unhappily (and, as
" his majeſty hopeth, beyond the intentions of the actors)
" have cauſed theſe diverſions and diſtractions: And yet not-
" withſtanding, his moſt excellent majeſty, for the comfort
" of his good and well-affected ſubjects, in whoſe loves he
" doth repoſe himſelf with confidence, and eſteemeth it as
" his greateſt riches; for the aſſuring of his friends and allies,
" with whom, by God's aſſiſtance, he will not break in the

" ſub-

Charles I. 1626.

"ſubſtance of what he hath undertaken; for the diſcouraging "of his adverſaries, and the adverſaries of his cauſe, and of "his dominions, and religion, hath put on this reſolution, "which he doth hereby publiſh to all the world, that as "God hath made him king of this great people, and large "dominions, famous in former ages both by land and ſea, "and truſted him to be a father and protector both of their "perſons and fortunes, and a defender of the faith and true "religion; ſo he will go on chearfully and conſtantly in the "defence thereof, and (notwithſtanding ſo many difficulties "and diſcouragements) will take his ſceptre and ſword into his "hand, and not expoſe the perſons of the people committed "to his charge, to the unſatiable deſires of the king of Spain, "who hath long thirſted after the univerſal monarchy, nor "their conſciences to the yoke of the pope of Rome: and "that at home he will take that care to redreſs the juſt griev-"ances of his good ſubjects, as ſhall be every way fit for a "good king.

"And in the mean time his majeſty doth publiſh this to "all his loving ſubjects, that they may know what to think "with truth, and ſpeak with duty of his majeſty's actions "and proceedings in theſe two laſt diſſolved parliaments.

"Given at his majeſty's palace at Whitehall, this thir-"teenth day of June, in the ſecond year of his majeſty's "reign of Great-Britain, France and Ireland."

Remarks on the declaration.

This declaration, which ſeems to be in the ſame ſtile with the lord-keeper Coventry's ſpeeches, full of long periods and parentheſis's, contained, under a vaſt heap of words, but two things to the purpoſe, namely, the two reaſons which obliged the king to diſſolve the two laſt parliaments. It is ſaid there, the plague which approached Oxford, occaſioned the diſſolution of the firſt. But this reaſon, which ſeems plauſible, proves at moſt but a neceſſity to diſcontinue the parliament, which might have been done by prorogation, as eaſily as by an entire diſſolution. In the ſecond place, when this declaration was publiſhed, every one knew what the commons had ſaid in their remonſtrance, that the end of diſſolving the firſt was to preclude from the following parliament ſuch members as had been againſt the duke of Buckingham, by cauſing them to be made ſheriffs of their ſeveral counties. As to the diſſolution of the ſecond, it is wholly grounded in the declaration, upon the king's being pleaſed to conſider as an abſolute denial the commons delay to ſupply him with money, though they affirmed the contrary. But none were ſo blind as not to

ſee

ſee that the commons demand, that the king would be pleaſed to remove the duke of Buckingham from his preſence, and the fear of the ill ſucceſs of the impeachment againſt the duke, were the true cauſes of this diſſolution. So, the declaration had no great effect among the people, who, beſides, were not apprehenſive of the pretended invaſion of England or Ireland by the Spaniards, though the king did his utmoſt to inſpire them with ſuch a dread. It was very extraordinary, that within little more than a year, the war which was undertaken for the recovery of the Palatinate, ſhould be changed into a defenſive war for the preſervation of the king's dominions, and ſupport of the church of England, though the Engliſh had not yet received any check. Charles I. 1626.

A few days after the declaration was publiſhed, two proclamations appeared, which afforded ample matter of diſcourſe to ſuch as were not of the court party. By the firſt, the king commanded all perſons who had any copies of the commons remonſtrance to burn the ſame, on pain of his higheſt diſpleaſure. But ſuch precautions ſerve generally only to cauſe the prohibited writings to be more carefully preſerved. The king's injunction could not hinder the remonſtrance from being tranſmitted to poſterity. Proclamation to ſuppreſs the remonſtrance. Ruſhworth, t. i. p. 411. Act. Pub. xviii. p. 721.

The ſecond proclamation contained very expreſs commands, not to preach or diſpute upon the controverted points of Arminianiſm, either for or againſt them, under colour that ſuch ſort of diſputes ſerved only to breed contention. But many were of opinion, that Laud biſhop of London, and Neil biſhop of Wincheſter, had procured this injunction, to oppreſs the orthodox miniſters, who ſhould take the liberty to break it, whilſt the diſobedience of the contrary party ſhould be connived at. It is certain, the next parliament complained to the king, that the orthodox miniſters were ſilenced for diſobeying the proclamation, and the Arminians tolerated and countenanced. Theſe matters belonged to the high-commiſſion, almoſt wholly compoſed of Laud's and Neil's creatures, the heads and protectors of the Arminians, or at leaſt they were reputed as ſuch. Another proclamation not to diſpute for or againſt Arminianiſm. Ruſhworth. t. i. p. 412. Act. Pub. xviii. p. 719. Annals.

Mean while, an information was preferred by the king's ſpecial command in the ſtar-chamber againſt the duke of Buckingham for applying the plaiſter to the late king. But withal, it was ſo ordered, that the cauſe came not to a hearing. The king prevents the duke from being accuſed in the ſtar-chamber.

The king receiving no aid from the parliament, becauſe he was unwilling to purchaſe it at the rate ſet by the commons, Means uſed by the king to raiſe money.

Charles I. 1626.

mons, was in great ſtraits [w]. He was to maintain a war againſt the houſe of Auſtria, to ſupply his allies with the promiſed ſuccours, and to put his kingdom in a poſture of defence. As all this could not be done by his ordinary revenues, recourſe was to be had to expedients to raiſe money. I ſhall mention ſome of them here, though they were not all uſed at the ſame time.

Ruſhworth, t. i. p. 413. &c. Annals.

Ruſhworth, ibid.

The firſt was a proclamation forbidding all perſons for two years to preſent or ſollicite any ſuit for anything, tending to the diminution of the king's revenues.

Ibid. Act. Pub. xviii. p. 729, 851, 922. Annals. p. 206.

The ſecond was a commiſſion directed to the archbiſhop of York and others, to compound with popiſh recuſants, not only for all forfeitures [x], due ſince the tenth year of king James, but alſo for ſuch as ſhall become due hereafter. This commiſſion was directly contrary to his promiſe to the parliament at Oxford. But, as he could not obtain money of the late parliament, only upon ſuch conditions as he did not think fit to comply with, he thought himſelf authorized to ſupply his occaſions ſome other way.

Act. Pub. xviii. p. 739, 741, 786.

The third was a proclamation, declaring the king's reſolution to make his revenue certain, by granting his lands, as well holden in copy as otherwiſe, to be holden in fee-farm.

Ruſhworth, t. i. p. 415.

The fourth was a loan from every peer of a certain ſum for the defence of the kingdom. But his attempt to borrow a hundred thouſand pounds of the city of London did not ſucceed, the city deſiring to be excuſed.

Ibid. Clarendon. t. i. p. 53.

The fifth was an impoſition upon the ſeveral ports and maritime counties, to furniſh and ſet out a certain number of ſhips to protect the trade. The city of London having refuſed to lend the king money, was appointed to equip twenty ſhips, or at leaſt to find a ſum ſufficient for that purpoſe. As this tax was peculiar to the maritime towns, many of the inhabitants of ſuch places retired elſewhere: but they were commanded by proclamation to return to their reſpective towns.

Act. Pub. xviii. p. 729. p. 737. Ruſhworth.

Laſtly, the council ordered very ſtrictly that the payment of tonnage and poundage ſhould be continued, though the king had yet no grant from the parliament, though he had never demanded any ſuch thing, and though the commons had

[w] By this haſty diſſolution of the parliament, he loſt four ſubſidies, and three fifteenths, which had been voted him by the commons. Coke, p. 229.

[x] With ten northern counties ſpecified in the commiſſion. Ruſhworth, tom. i. p. 414.

com-

complained of the levying theſe impoſts as a grievance in the remonſtrance they had prepared. Charles I. 1626.

But to let the people ſee, it was purely out of neceſſity that the king made uſe of theſe extraordinary methods to raiſe money, his majeſty ordered a general faſt to be held on the 5th of July, to divert the judgments of God ready to fall on the kingdom, by the pretended invaſion it was threatened with. This afforded him alſo a pretence to require the lords-lieutenants of the ſeveral counties to muſter and arm the militia, and put them in condition to withſtand the invaſions of enemies from abroad, and quell the rebellions of ſubjects at home, if any ſhould happen[y]. For the court was under ſome fears of commotions[z].

A faſt enjoined. Act. Pub. xviii. p. 725. Ruſhworth, t. i. p. 416. Commiſſions to muſter and arm the militia. Ibid. Annals.

The means hitherto uſed by the king to raiſe money, were not ſufficient to free him from a freſh incumbrance cauſed by an unexpected event. The king of Denmark his uncle, whom he had engaged in a war with the emperor, was defeated the 27th of Auguſt by count Tilly, with the loſs of all his baggage and train of artillery. This accident obliged Charles to find money to ſupport his uncle, who was in a very ill ſituation, and could not avoid making a peace with the emperor, unleſs ſpeedily relieved. The way which was thought moſt proper to raiſe money on this urgent occaſion, was by a general loan from the ſubject, according as every man was aſſeſſed in the rolls of the laſt ſubſidy. It is true the king gave his royal word, that all the money ſhould be repaid with fee or charge: but the performance of his promiſe, as afterwards appeared, was not relied on. The king himſelf as well as his council expected to meet with many obſtacles in executing this project, ſuch forced loans not being agreeable to the nation. It was feared beſides, that this way of raiſing money upon the ſubject, would in the end render parliaments uſeleſs. For this reaſon the council judged it proper to make uſe of three methods to ſucceed in their deſign: 1. Of ſome artifice to oblige the people as much as poſſible to lend freely: 2. Of fear, to terrify the irreſolute: 3. Of

Defeat of the king of Denmark, Charles's uncle. Ruſhworth, t. i. p. 417. Annals.

A general loan. Ruſhworth, t. i. p. 418. Annals. Act. Pub. xviii. p. 835, 842.

y This year the king raiſed the ſailors wages, from fourteen to twenty ſhillings a month. Rymer's Fœd. tom. xviii. p. 721.

z On Febr. 5. this year, George lord Carew was created earl of Totneſs, Robert lord Cary earl of Monmouth, Thomas lord Wentworth earl of Cleveland, Edmund lord Sheffield earl of Mulgrave, Thomas Howard viſcount Andover earl of Berkſhire, Henry lord Danvers earl of Danby, Henry Montague viſcount Mandeville earl of Manchester, and James lord Ley earl of Marleburgh. Rymer's Fœd. tom. xviii. p. 278—290.—Within the courſe of this year died the learned Lancelot Andrews biſhop of Winchester, and Francis Bacon lord Verulam. Echard.

Charles I. 1626. rigour, to compel the moſt obſtinate. Theſe were the grounds of the inſtructions the council gave the commiſſioners, who were appointed in the ſeveral counties to levy the loan. The inſtructions were to this effect:

Inſtructions to the commiſſioners for the loan, Ruſhworth, t. i. p. 418.

"I. That they ſhould themſelves, for a good example "to others, lend unto his majeſty the ſeveral ſums of money "required of them, teſtifying it by their names, with their "own hands, that when they ſhall in his majeſty's name re- "quire others to lend, they may diſcern the ſaid commiſſion- "ers forwardneſs.

"II. To take for their guide thoſe rates, at which men were "aſſeſſed in the book of the laſt ſubſidy, and to require the "loan of ſo much money, as the entire rate and value comes "to, at which they are rated and ſet; as (namely) he that "is ſet an hundred pounds in goods, to lend a hundred marks; "and he that is ſet an hundred pounds in land, to lend a "hundred pounds in money; and ſo "per rata" for a greater "or leſſer ſum.

"III. To uſe all poſſible endeavours to cauſe every man "willingly and chearfully to lend, opening unto them, the "neceſſity and unavoidableneſs of this courſe; the honour "and reputation of the nation; the true religion, and com- "mon ſafety of prince and people, of our friends and allies "engaged in the common cauſe; that there is no time now "of diſputing but of acting.

"IV. That they appoint the days of payment to be with- "in fourteen days, and perſwade ſuch as ſhall be able to "pay it at one entire payment, the better to accommodate "his majeſty's occaſion; otherwiſe to accept of the one half "at fourteen days, and the other to be paid before the twen- "tieth of December now next coming.

"V. That they treat apart with every one of thoſe that "are to lend, and not in the preſence or hearing of any "other, unleſs they ſee cauſe to the contrary. And if any "ſhall refuſe to lend, and ſhall make delays or excuſes, and "perſiſt in their obſtinacy, that they examine ſuch perſons upon "oath, whether they have been dealt with to deny or refuſe "to lend, or make any excuſe for not lending? Who hath "dealt ſo with him, and what ſpeeches or perſwaſions he or "they have uſed to him tending to that purpoſe? And that "they ſhall alſo charge every ſuch perſon in his majeſty's "name, upon his allegiance, not to diſcloſe to any other, "what his anſwer was.

"VI. That

" VI. That they ſhew their diſcretion and affections, by making choice of ſuch to begin with, who are likely to give the beſt examples; and when they have a competent number of hands to the roll or liſt of the leaders, that they ſhew the ſame to others to lead them in like manner. Charles I. 1626.

" VII. That they endeavour to diſcover, whether any, publicly or underhand, be workers or perſwaders of others to diſſent from, or diſlike of this courſe, or hinder the good diſpoſition of others. And that as much as they may, they hinder all diſcourſe about it, and certify to the privy-council in writing, the names, qualities, and dwelling-places, of all ſuch refractory perſons, with all ſpeed, and eſpecially if they ſhall diſcover any combination or confederacy againſt theſe proceedings.

" VIII. That they let all men know whom it may concern, that his majeſty is well pleaſed upon lending theſe ſums required, to remit all that which by letters, in his name, was deſired upon the late benevolence for free-grant; and whatever hath been already paid upon that account, ſhall be accepted for part of this loan; and if it exceed the ſum deſired, that the overplus ſhall be repaid without fee or charge; ſo likewiſe for privy-ſeals, if any have been already paid: but if not, that the agreeing of the loan of the ſum required, be excuſed of the payment of the privy-ſeal.

" IX. That they admit of no ſuit to be made, or reaſons to be given, for the abating of any ſum, the time and inſtant occaſion not admitting any ſuch diſpute, which would but diſturb and protract the ſheriff.

" Laſtly, The commiſſioners were required and commanded, upon their faith and allegiance to his majeſty, to keep ſecret to themſelves, and not impart or diſcloſe theſe inſtructions to others."

For the advancement of the loan, care was taken to publiſh a liſt of ſuch as had freely ſubſcribed, for a good example to others, and all the peers and gentlemen were ordered to repair to their country-ſeats, that their abſence might cauſe no delay or obſtacle to the ſubſcriptions. Sir Randolph Crew, lord chief juſtice, ſhowing no zeal for advancing the loan, was removed from his place, which was given to Sir Nicholas Hide [b]. The king believing it neceſſary to ſhow by this example, that he would admit of no excuſe [c]. Be-

Act. Pub. xviii. p. 798.

Lord chief juſtice Crew removed on account of the loan. Act. Pub. xviii. p. 791, 835.

[b] He drew the duke's anſwer in parliament. Rushworth, tom. i. p. 420.

[c] The papiſts contributed very freely in the loan, but the puritans were very backward

Charles I. 1626. Beſides this example, the court uſed, to promote the loan, ſome other ways, which, probably, would not be leſs effectual. The firſt was, the billeting of ſoldiers upon private houſes, contrary to the conſtant cuſtom of England, where all but ſuch as keep public houſes, have the privilege of not being obliged to lodge ſoldiers againſt their wills. It is eaſy to perceive, that thoſe who ſhowed any reluctance to lend the king money, were not ſpared on this occaſion; and that the ſoldiers quartered upon them, took care to make them ſee what they expoſed themſelves to by diſobeying the king. Moreover, ſuch as were ſufferers by theſe troubleſome gueſts, could not ſummon them before the uſual judges; but by the king's expreſs orders, they were obliged to apply to a council of war, ſo that the officers were the ſole judges of their ſoldiers. This is never practiſed in England, where councils of war have no juriſdiction but what the parliament allows them by an act on purpoſe, limiting both the time and the occaſions. In ſhort, it evidently appeared, that the king would not be contradicted, and was reſolved to raiſe money upon the ſubjects as he pleaſed. It is true, he grounded his proceedings upon former precedents. But that ſome of his predeceſſors had, many ages before, practiſed theſe methods, whether out of neceſſity or otherwiſe, was ſufficient for him to conſider ſuch a precedent as the foundation of his right, and a prerogative of the crown. Notwithſtanding all this, the people in general were ſo averſe to the loan, that the money flowed but ſlowly into the king's exchequer. The court therefore was obliged to uſe a more violent remedy to force the moſt obſtinate: and that was, to order ſuch of the common ſort as refuſed to ſubſcribe to the loan, to be enrolled as ſoldiers to ſerve in his majeſty's troops. As for perſons of birth and rank, they were ſummoned to appear before the council, and upon a ſecond refuſal to lend money, were confined to places at a great diſtance from their habitations, and ſuch as refuſed to be thus confined, were committed to the ſeveral priſons in London. Sir Thomas Wentworth, afterwards earl of Strafford, and a zealous adherent of the king, was among the impriſoned [d].

Soldiers are quartered upon private houſes. Ruſhworth, t. i. p. 419.

1627. Such as refuſed to ſubſcribe are enrolled among the king's troops, or ſent away, or impriſoned. Ruſhworth, t. i. p. 422, 428.

Beſides

backward in it. Whitelock, p. 8. This did beget in the king at firſt a tenderneſs towards the papiſts, and afterwards a truſt and confidence in them: which was unhappily miſtaken by his other ſubjects, as if he inclined to their religion. Welwood, p. 37.

[d] The following gentlemen were appointed to ſeveral confinements, not in their own but diſtinct counties: George Ratcliffe, eſq; Sir Walter Earl, Sir John Strangeways, Sir Thomas Grantham, Sir John Hevingham, Sir Nathaniel Bernardiſton, William Coriton, eſq; Richard Knightly, eſq; Sir Harbottle Grimſtone, Sir Robert Points, John Hampden. Theſe, with many others, were ſecured in foreign counties for refuſing

Beſides theſe means, the court practiſed another, from whence they expected great advantages, but which proved more detrimental than beneficial to the king. And that was, to cauſe miniſters, gained for that purpoſe, to preach as a ſcripture-doctrine, that ſubjects were obliged to obey the king's commands without examination. Two of theſe miniſters diſtinguiſhed themſelves by their ſermons on this ſubject. Dr. Sibthorp, who was one, ſays, among other things, in a ſermon preached at Northampton, at Lent aſſizes: Charles I. 1627.

The doctrine of paſſive obedience publicly preached by Sibthorp and Manwaring. Id. p. 422. Annals. Welwood.

"That the prince, who is the head, and makes his court "and council, it is his duty to direct and make laws, Eccleſ. "viii. 3, 4. He doth whatever pleaſes him. Where the "word of a king is, there is power; and who may ſay unto "him, What doſt thou?—If princes command any thing "which ſubjects may not perform, becauſe it is againſt the "laws of God, or of nature, or impoſſible, yet ſubjects are "bound to undergo the puniſhment, without either reſiſting, "or railing, or reviling, and ſo to yield a paſſive obedience "where they cannot exhibit an active one.—I know no other "caſe, but one of thoſe three, wherein a ſubject may excuſe "himſelf with paſſive obedience; but in all other he is bound "to active obedience."

But Dr. Manwaring ſpoke ſtill more plainly in one of his ſermons. He ſaid, "That the king is not bound to obſerve "the laws of the realm concerning the ſubjects rights and "liberties, but that his royal will and command in impoſing "loans and taxes, without common conſent in parliament, "doth oblige the ſubjects conſcience upon pain of eternal "damnation. That thoſe who refuſed to pay this loan, of-"fended againſt the law of God, and the king's ſupreme au-"thority, and became guilty of impiety, diſloyalty, and re-"bellion. And that the authority of parliament is not ne-"ceſſary for the raiſing of aids and ſubſidies; and that the "ſlow proceedings of ſuch great aſſemblies, were not fitted "for the ſupply of the ſtates urgent neceſſities, but would "rather produce ſundry impediments to the juſt deſigns of "princes."

The archbiſhop is ſuſpended for refuſing to approve Sibthorp's ſermon. Annals. Archb. Abbot's Apol. in Ruſhw. t. i. p. 434, &c.

It can hardly be thought, that ſuch a doctrine was publicly preached in England, or at leaſt, it is not to be imagined, that theſe preachers were men of no name, who ſought

fuſing the loan. Many of thoſe gentlemen were afterwards ſent for by purſuivants out of the counties where they were confined by order of the council, and committed to ſeveral priſons, ſome to the Fleet, ſome to the Marſhalſea and Gate-houſe. From which laſt place, Sir John Elliot ſends a petition to his majeſty, which the reader may ſee in Ruſhworth, tom. i. p. 429.

Charles I. 1627.

to pleaſe the court, and were not openly approved. But this belief muſt be changed, when it is conſidered, that archbiſhop Abbot was ſuſpended from all his archiepiſcopal functions, and confined to one of his country-houſes [e], for refuſing to licenſe Sibthorp's ſermon: that Manwaring, after having been ſentenced by the lords in the next parliament to pay a thouſand pounds fine, to make a public ſubmiſſion at the bars of the two houſes, and to be impriſoned during the pleaſure of the lords, after having been ſuſpended for three years, and declared incapable of holding any eccleſiaſtical dignity, or ſecular office, obtained nevertheleſs the king's pardon, with a good benefice, and afterwards a biſhopric. One cannot therefore help thinking, that the doctrine preached by theſe miniſters, was approved, favoured, and countenanced by the court. Indeed, the king's and his miniſter's conduct plainly ſhowed, it was their intention to eſtabliſh an arbitrary power, and ſet the king above the laws. Of this we ſhall ſee farther proofs in the ſequel.

State of the king's affairs at home and abroad.

Notwithſtanding the king's hopes to ſucceed at length in his project, he was not eaſy: the war he had undertaken for the recovery of the Palatinate was ſo ſlowly and unſucceſsfully carried on, that it was evident he would never compaſs his ends by continuing it in ſuch a manner. Hitherto, every thing had miſcarried. The twelve thouſand men intended for the Palatinate, under the command of count Mansfeldt, were loſt for want of proper meaſures for their paſſage, as was ſhown in the reign of king James. The projected expedition againſt Cadiz and the Spaniſh Weſt-India fleet, had met with no better ſucceſs. The king of Denmark beginning a war with the emperor, at the inſtance of his nephew the king of England, was entirely defeated. The United Provinces, in alliance with England, were rather in want of aſſiſtance, than able to give any. Lewis XIII. had flattered the king of England with hopes of a league againſt the houſe of Auſtria, only to obtain the better terms from the Spaniards in Italy; and ſince he had concluded a peace in that country, did not ſhow the leaſt inclination to join with England for the recovery of the Palatinate. Thus Charles ſaw himſelf farther than ever from the execution of his grand projects. To this may be added, that the diſſolution of his two firſt parliaments, without obtaining the expected ſupplies, rendered him contemptible to his neighbours. There was no ſtate deſirous to enter into a ſtrict alliance with a prince who had im-

[e] At Ford, a moated, unhealthy place, five miles beyond Canterbury. Coke, p. 239.

prudently

prudently quarrelled with his ſubjects, when he moſt wanted their aſſiſtance. In ſhort, though he had intended to free himſelf from the yoke of parliaments, and put himſelf in a condition to raiſe what money he pleaſed upon his ſubjects, by the methods he had deviſed, he daily perceived he had taken wrong meaſures. The loan-money came in but very ſlowly. To raiſe it, he was obliged continually to uſe rigour and violence, the Engliſh for the moſt part refuſing voluntarily to ſubmit to a power they believed contrary to their liberties and laws. The court therefore was forced to be cautious in the examples of rigour againſt the diſobedient, that it might not cauſe an open rebellion, for fear if a flame broke out in any part, it would ſpead over the whole kingdom. Charles I. 1627.

The king in his preſent ſituation, ſeems to have had but one of theſe two courſes to take, either to agree with his people, or make peace with Spain. By the firſt courſe, he would have been enabled to puſh the war he had undertaken more vigorouſly. By the ſecond, he would have been freed from the trouble of demanding extraordinary ſupplies of his parliament, or of raiſing money by unuſual methods, which gained him the hatred of his people. But both theſe courſes were contrary to his temper, his character, his projects, the intereſts of his favorite and miniſters. As to the firſt, I believe I may affirm, he had formed the project of eſtabliſhing in England a deſpotic power. I ſhall not loſe time in proving it. I had rather the reader would judge for himſelf, by the king's own ſpeeches, by his meſſages to the houſe of commons, by his conduct, and by that of his miniſters and council. What has been hitherto ſeen, may ſerve to give ſome idea of it; but what will appear hereafter, will, as I think, afford undeniable proofs. This being ſuppoſed, Charles could not diveſt himſelf of the principles imbibed from his infancy, and deeply rooted in him by his father's inſtructions and example, without relinquiſhing his projects, and forming a new plan of government, directly contrary to his temper and inclination. In a reconciliation with his people, he muſt have ſubmitted to the maxims of the parliament, who were continually urging the laws of the land, and the liberties of the people, and been obliged to become, if I may ſo ſay, leſs a king than he had hitherto been, and than he thought he had a right to be. The ſuffering the extent of the prerogative royal to be queſtioned on all occaſions, was a thing too oppoſite to his temper. This was a point of which he was no leſs, or rather more, tender than his father. Beſides, the duke of Buckingham, who had

The reaſons of the king's conduct.

a great

Charles I. 1627. a great influence over him, plainly ſaw, that an agreement between the king and the people, would infallibly be followed with his own ruin. The reſt of the miniſters, who were all his creatures, perceived likewiſe, that their welfare depended on the favorite's, and that the favorite's credit could not ſubſiſt with a good underſtanding between the king and his parliament. It was neceſſary therefore, that the king, to extricate himſelf out of this labyrinth, ſhould become, as I may ſay, quite another man, ſhould alter his principles, ſhould have ſtrength of mind ſufficient to diſcern clearly his true intereſts from thoſe of his favorites and miniſters, and reſolution to proceed without their aſſiſtance, and follow counſels more agreeable to his ſubjects. But this was a thing impoſſible, conſidering the king's character, who ſeemed then of an inflexible temper. He perceived in the end, he had taken a wrong courſe, but not till it was too late to forſake it.

As to the other courſe, which was to make peace with Spain, beſides that the king thought himſelf bound in honour to ſupport a war of which he was the ſole author; though he always affected to impute it to the parliament, this peace was entirely contrary to his private intereſt. How little ſucceſs ſoever he had reaſon to expect from the continuance of the war, in his preſent circumſtances, it ſerved him for pretence to levy money upon his people, and afforded him means to put in practice his projects to eſtabliſh an abſolute power. On the other hand, it being the intereſt of his favorite and miniſters to keep him at variance with his people, to whom they were all very odious, they could not do it better than by putting him under an indiſpenſable neceſſity of raiſing money upon the ſubject, without conſent of parliament.

The king reſolves to go to war with France. Ruſhworth, t. i. p. 423, &c.

The effect of this policy evidently appeared at the very time I am ſpeaking of. Inſtead of perſuading the king to make peace with Spain, they engaged him by degrees to proclaim war with France, at a time when he knew not how to continue the war he had begun with the houſe of Auſtria.

He tries to make the French court give him ſome pretence for it. Annals, p. 209.

To engage France to afford ſome pretence for the rupture which was meditating in England, the king upon ſome diſguſt concerning the queen's French chaplains and domeſtics [f], diſmiſſed them all, having firſt paid what was due for wages or ſalaries. The king of France highly reſented this mani-

[f] They maintained, that king Charles had no power to intermeddle with his queen's family, becauſe he was an heretic: and beſides, they had made the queen walk to Tyburn in devotion to pray there. Ruſhworth, tom. i. p. 423, 424.

firſt

feſt breach of the marriage-treaty; but however, did nothing that ſhowed a deſign to be revenged by way of arms. So the diſguſt received from the queen's domeſtics, who were ſufficiently puniſhed, could not ſerve for pretence of a rupture on the ſide of England, ſince on the contrary, France had reaſon to complain of the breach of the treaty. Nevertheleſs, it was intended to make war upon France, under colour of ſupporting the Huguenots who were oppreſſed, and threatned with utter deſtruction [g]. But when the character of the king, of the favorite, and of the miniſtry is conſidered, it can hardly be thought, that the deſire of maintaining the proteſtant religion, ſuch as it was in France, was the real motive of this war. The king and his whole court mortally hated the preſbyterians. The duke of Buckingham had properly no religion at all. Weſton and Conway were catholics. Laud and Neile thought it impoſſible to be ſaved out of the church of England. How then can it be imagined that all theſe men, who were the king's moſt intimate counſellors, ſhould combine to ſupport in France a religion for which they had the utmoſt contempt? It is much more probable, that the king's miniſters ſeeing little likelihood of recovering the Palatinate by arms, and fearing the king would at length be tired of a fruitleſs war with Spain, induced him to carry his arms into France, in order ſtill to keep him under a neceſſity of raiſing money by extraordinary methods, and thereby perpetuating his miſunderſtanding with his ſubjects, on which the continuance of their credit entirely depended. But I own this is only conjecture. Another cauſe is alledged of this war with France, namely, the duke of Buckingham's pride, who being ſent to Paris to conduct the queen into England, became amorous of Anne of Auſtria, wife to Lewis XIII. and had the confidence to diſcloſe his paſſion. It is ſaid, the court of France threatened him with a puniſhment ſuitable to his inſolence, and refuſed to let him ſee the queen any more, but that he ſwore, he would ſee her in ſpite of them all. To this oath is aſcribed the reſolution inſtilled into the king his maſter to make war upon France, in hopes it would give him an opportunity to perform his oath. I own, I ſee very little probability in this pretended project, which however the lord Clarendon has thought fit to mention [h].

Charles I. 1627.

Pretence of the war with France.

Reaſons of the miniſters.

Clarendon. t. i. p. 31.

Ibid.

The

[g] This affair was managed and promoted by an abbot, related to the duke of Orleans, who had been diſobliged by cardinal Richelieu. Idem, p. 424.

[h] The duke of Buckingham is reaſonably ſuppoſed to have been the author of this war; either out of revenge, for having been excepted againſt by Lewis

Charles I. 1627. The war with France being reſolved, the king declared the grounds of it to his council; namely,

The king declares the cauſes of it to his council.

"I. That the houſe of Auſtria had ſuch an influence upon "the council of France, as to prevail with them to obſtruct "the landing of count Mansfield's army, contrary to pro- "miſe, with whom the French ſhould have joined forces for "the relief of the Palatinate, and the German princes; which "failure of performance in them, proved the ruin of that "army."

1. Cauſe. Ruſhworth, t. i. p. 424.

Obſervation I have ſpoken of this affair in the reign of king James I. and ſhowed that it was an error of the council of England to depend upon a general promiſe as upon a treaty. Beſides, it was too late for the king to think of revenging this pretended affront, which had not prevented his eſpouſing the French king's ſiſter.

2. Cauſe. "II. That having by his mediation prevailed for a peace "between the French king and his proteſtant ſubjects, and "engaged his word, that the proteſtants ſhould obſerve the "articles of agreement; nevertheleſs the king of France, "contrary to the ſaid articles, blocked up their towns, gar- "riſons and forts, and had committed many ſpoils upon them, "when they had done nothing in violation of the edict of "peace."

Obſervation It is very true, it was the intereſt of England to ſupport the Huguenots, who were unjuſtly oppreſſed. But by what law is a prince, who procures a peace between two enemies, but is not guarantee for performance of articles, empowered to go to war with one of the parties that breaks it? Had the king been ſatisfied with ſaying, the intereſt of England would not ſuffer the Huguenots to be oppreſſed, this political reaſon might have been allowed: but in ſuch caſes, there is a wide difference between intereſt and right.

3. Cauſe. "III. That the king of France had committed an exam- "ple of great injuſtice in full peace, to ſeize upon one hun- "dred and twenty Engliſh ſhips, with all their merchandi e "and artillery."

Obſervation The king paſſes over in ſilence, that the French acted only by way of repriſal, and that the Engliſh were the aggreſſors, as the parliament had complained to the king himſelf. It is

Lewis XIII. when he was appointed to go ambaſſador to France; or on account of ſome affronts put upon him by that court, when he was ſent to bring the queen over. For, from that time, "he "took all the ways he could to unde- "value and exaſperate that court and "nation; and omitted no opportunity "to incenſe King Charles againſt France, "and even againſt his queen; and be- "haved himſelf very rudely to her." Le Clerc, tom. i. p. 38, 39.

evident

evident therefore, that the grounds of this war could not be more frivolous. Charles I. 1627.

The king's deſign was to ſend a fleet to Rochel, under colour of relieving that place, which was threatned with a ſiege. This affair had been managed at the court of England by the duke of Soubize and monſieur St. Blancard, a gentleman of Languedoc, without the knowledge of the Rochellers. This gives occaſion to ſuſpect, that their intention was to deliver the town to the Engliſh on pretence of relieving it. However, the affair was kept very private, and ever ſince April, a fleet had been equipping with all expedition, without any poſſibility of gueſſing for what it was intended. When it was ready, the king gave the duke of Buckingham a commiſſion, which plainly ſhowed, the affair was to be a ſecret. By this commiſſion, the duke was made admiral of the fleet, and commander in chief of the land-forces, which ſhould be embarked for the recovery of the Palatinate, according to ſuch private inſtructions as he ſhould receive from his majeſty.

Deſign of putting the Engliſh in poſſeſſion of Rochel. Ruſhworth, t. i. p. 424.

Id. p. 425. Act. Pub. xviii. p. 892.

This fleet, conſiſting of above a hundred ſhips, having on board ſeven thouſand ſoldiers, ſailed from Portſmouth the 7th of June, and on the 20th of July appeared before Rochel. At the duke's approach, the Rochellers ſhut their gates for fear of a ſurprize, as having no notice that an Engliſh fleet was to come ſo near them. Preſently after were ſeen to arrive the duke of Soubize, with Sir William Beecher, who told them from the duke of Buckingham, that the king of England, out of compaſſion to their ſufferings, had ſent a fleet and army to their aſſiſtance, and if they refuſed his aid, he declared he was fully quit of his engagement of honour and conſcience for their relief. The mayor replied in the name of the inhabitants, that they moſt humbly thanked his majeſty for the care he had of them; but that being in ſtrict union with all the reſt of the proteſtant in the kingdom, they could not receive into the city the offered ſuccours, without conſulting their friends, and without the previous conſent of the whole body of the Huguenots. The duke of Buckingham finding by this anſwer, it would not be eaſy to get his troops into Rochel, directed his courſe to the iſle of Rhee, where Toiras commanded. Toiras endeavoured at firſt to hinder the landing of the Engliſh; but as his forces were few, he was obliged to retreat to his citadel at St. Martin's, which was in a good ſtate of defence. Had the duke underſtood the art of war, he would, without loſing a moment, have marched to the fort, and thereby hindered Toiras from getting in proviſions. But he ſpent ſo much time in landing and in

The Rochellers refuſe to admit the Engliſh. Ruſhworth, t. i. p. 425, &c. Annals. Howes. Coke, p. 239

The duke fails to the iſle of Rhee, and makes a deſcent. Ruſhworth. t. i. p. 426.

The duke's overſight.

1627. Charles I. in preparing to march, that Toiras had leiſure to ſtore the place with ammunition. At laſt he marched to St. Martin's and beſieged it in form, but with little ſucceſs. He had to deal with one more expert than himſelf, and who found means to keep him employed in the ſiege till November, though he had ſent the king word he ſhould be maſter of the place in eight days. Mean while, the king of France, who had not expected this invaſion, ordered his troops to march with all ſpeed towards the ſea, and came in perſon to haſten the relief of the iſle of Rhee. When all was ready, count Schomberg paſſed into the iſle with ſix or ſeven thouſand men, without any oppoſition from the Engliſh fleet. Then he marched to St. Martin's, the ſiege whereof the duke of Buckingham raiſed with precipitation, being vigorouſly puſhed by the French to the very ſea-ſide, ſo that it was with great difficulty that he re-imbarked his remaining troops. 'Tis ſaid, of the ſeven thouſand men he brought from England, near five thouſand periſhed in this unfortunate expedition. It was rumoured however in England, that not above fifteen hundred were loſt, and ſome even ſay, the king was made to believe it.

He beſieges the fort.

The fort is relieved. Ruſhworth. t. i. p. 463. Coke. p. 240. Nov. 9.

The Engliſh fleet returns home.

Whilſt the duke of Buckingham was employed in this expedition, Sir John Elliot, impriſoned for refuſing to lend the king money, preſented to his majeſty a petition for his liberty, which he did not aſk as a favour but as juſtice. He grounded his requeſt upon ſeveral ſtatutes which he cited, and by which he pretended to ſhow, that the king could not exact money from the ſubject by way of loan, nor were the ſubjects bound to ſubmit to it. As the king then ſtood diſpoſed, this petition could be of no ſervice to the perſon that preſented it. In November following, ſome other gentlemen [i], committed for the ſame reaſon, brought their Habeas Corpus, that is, deſired to be diſcharged upon bail, a privilege enjoyed by all Engliſhmen [k].

Petition of Sir John Elliot, who was impriſoned concerning the loan. Ruſhworth. t. i. p. 479. Annals.

To no purpoſe. Some other priſoners bring their Habeas corpus, but are remanded to priſon. Ruſhworth. t. i. p. 558.

This

[i] Sir Thomas Darnel, Sir John Corbert, Sir Walter Earl, Sir John Hevingham, Sir Edward Hampden. Ruſhw. tom. i. p. 458.

[k] For the better underſtanding of what follows, it muſt be obſerved, that when any perſon is committed (unleſs for treaſon or felony) upon his ſending a copy of the mittimus to the chancellor, or any of the judges of the exchequer, they are obliged to grant him a writ, called Habeas corpus, upon the receipt of which, the head gaoler or keeper muſt carry up the priſoner, and return the cauſes of his commitment and detainour to the court, to which the writ is returnable. Then the judge determines whether the caſe be bailable. If not, the priſoner is remanded back to priſon. In the preſent caſe, the warden of the Fleet made this return: "That "Sir Walter Earl, knt. named in the "writ, is detained in the priſon of the "Fleet in his cuſtody, by ſpecial com"mand of the king, to him ſigned by "warrant of ſeveral of the privy-"coun-

This cauſe was pleaded very ſolemnly before all the judges of the realm. There were two points to be decided. The firſt, whether the priſoners were committed by the ſpecial command of the king, ſince the warden ſaid only, "that the priſoners were detained by command of the king, ſignified to him by warrant of ſeveral of the privy-council." Now the priſoners pleaded, that, according to law, the king's order ſhould be produced not barely for detaining them, but for committing them; and that beſides, the ſignifying of the order by the lords of the council, ſhowed, it was not by ſpecial command of his majeſty. The ſecond point was, whether the king could impriſon any ſubject without declaring the cauſe of the commitment, and whether in ſuch caſe, the priſoners ought not to have the benefit of a Habeas corpus, that is, to be diſcharged upon bail. The counſel for the priſoners repreſented the terrible conſequences of ſuch a power in the king, ſince thereby the liberty of every ſubject would be at the king's mercy, who could detain them in priſon as long as he pleaſed, and there would be no remedy by law. But the judges unanimouſly decided againſt the priſoners, who were all remanded to their ſeveral priſons. Charles I. 1627.

Complaints againſt the government and duke of Buckingham. Ruſhworth, t. i. p. 465. Annals. p. 227. Clarendon. t. i. p. 32, p. 33.

The ill ſucceſs of the iſle of Rhee expedition raiſed numberleſs complaints and murmurs againſt the duke of Buckingham, who had many enemies. Multitudes were loſt in that unfortunate undertaking, and among the reſt, major-general Burroughs, one of the beſt officers in England; and theſe misfortunes were imputed to the duke of Buckingham's incapacity, who had never been in the wars, and knew nothing of the ſea-ſervice, though the king had made him both admiral and captain general. To theſe complaints were added others upon other accounts. The mariners complained, they had received no wages for three years paſt, and deſerted in great numbers not to be forced to ſerve any longer without pay. The merchants made bitter complaints, that the ſeas were neglected, that within three years they had loſt a great number of ſhips, and that the fiſhermen were taken almoſt in the very harbours. In a word, no one ventured to build any new ſhips, becauſe as ſoon as they were ready the king ſeized them for his ſervice againſt the will of the owners.

"council." Now it was pleaded in behalf of the priſoners, that the form of the returns was not good, the cauſe of the commitment not being ſpecified, as the writ requires. And therefore, if the priſoners were not bailed, but remanded, the ſubjects of the kingdom may be reſtrained of the liberty for ever, and by law there can be no remedy. See Ruſhworth, tom. i. p. 479.

Though the king did not much regard all theſe complaints, which perhaps reached him not; he was however very attentive to the petition which the Rochellers, upon the point of being beſieged, ſent him by their deputies for relief. He had ingaged in a war with France, upon his good opinion of his fleet and of his favorite's ability, and tho' experience ſhowed him this opinion was ill-grounded, he would proceed, let what would be the conſequence. Mean while he ſaw himſelf without money, and the oppoſition he met with in the affair of the loan, made him ſenſible how difficult it would be to raiſe it by ſuch methods. For that reaſon he conſulted Sir Robert Cotton upon the preſent ſituation of his affairs. Cotton adviſed him to call a parliament, as the beſt means to free himſelf from all difficulties. But as Sir Robert foreſaw the houſe of commons would attack the duke of Buckingham, he adviſed withal, that the duke might be the firſt, who in full council ſhould move the calling of a parliament. This advice was followed, and the duke having acted his part, the parliament was ſummoned by the unanimous reſolution of the council to meet the 17th of March 1628. Immediately after, warrants were ſent to all parts to releaſe the impriſoned and confined gentlemen for the affair of the loan money, and the king had the mortification to ſee almoſt all of them, to the number of twenty-ſeven, choſen to ſerve for repreſentatives in the enſuing parliament [1]. He ſent writs of ſummons to the archbiſhop of Canterbury, who was confined to one of his houſes, to the biſhop of Lincoln priſoner in the Tower, and to the earl of Briſtol. At the ſame time, the council ordered the lord-mayor of London to uſe moderation in demanding the loan-money. This ſhows that there were ſtill ſome people who ſtood out, and that violence was hitherto uſed to compel them.

Charles I. 1627.

The Rochellers deſire aſſiſtance. Ruſhworth. t. i. p. 467. Annals. p. 228.

Cotton adviſes the king to call a parliament. Jan. 29. Ruſhworth. t. i. p. 467.

A parliament is called.

The priſoners are releaſed, and choſen members of parliament. Id. p. 473, 474. Annals, p. 231.

The loan is diſcontinued.

1627-8. The parliament being aſſembled the 17th of March, the king made the following ſpeech to both houſes.

"My lords and gentlemen,

The king's ſpeech to both houſes of parliament. Ruſhworth. t. i. p. 476.

"THESE times are for action: wherefore, for example ſake, I mean not to ſpend much time in words; expecting accordingly, that your (as I hope) good reſolutions will be ſpeedy, not ſpending time unneceſſarily, or (that I may better ſay) dangerouſly: for tedious conſultations

[1] There were releaſed in all ſeventy-eight. See Ruſhworth, tom. i. p. 473, where they are all named.

"at

" at this conjuncture of time are as hurtful as ill reſolu- Charles I.
" tions. 1627-8.

" I am ſure you now expect from me, both to know the " cauſe of your meeting, and what to reſolve on: yet I think " that there is none here but knows, that common danger " is the cauſe of this parliament, and that ſupply at this time " is the chief end of it: So that I need but point to you " what to do. I will uſe but few perſuaſions: for if to main- " tain your own advices, and as now the caſe ſtands for the " following thereof, the true religion, laws and liberties of " this ſtate, and the juſt defence of our true friends and allies " be not ſufficient, then no eloquence of men or angels will " prevail.

" Only let me remember you, that my duty moſt of all, " and every one of yours according to his degree, is to ſeek " the maintenance of this church and common-wealth: and " certainly, there never was a time in which this duty was " more neceſſarily required than now.

" I therefore judging a parliament to be the ancient, " ſpeedieſt, and beſt way in this time of common danger, to " give ſuch ſupply as to ſecure ourſelves, and to ſave our " friends from imminent ruin, have called you together. " Every man now muſt do according to his conſcience: " wherefore if you (as God forbid) ſhould not do your duties, " in contributing what the ſtate at this time needs, I muſt, " in diſcharge of my conſcience, uſe thoſe other means " which God hat put into my hands, to ſave that, which " the follies of particular men may otherwiſe hazard to " loſe.

" Take not this as a threatening, for I ſcorn to threaten " any but my equals, but an admonition from him, that " both out of nature and duty, hath moſt care of your pre- " ſervations and proſperities: and (though I thus ſpeak) I " hope that your demeanours at this time will be ſuch, as " ſhall not only make me approve your former counſels, but " lay on me ſuch obligations, as ſhall tie me by way of thank- " fulneſs to meet often with you: for be aſſured that nothing " can be more pleaſing unto me, than to keep a good corre- " ſpondence with you.

" I will only add one thing more, and then leave my lord- " keeper to make a ſhort paraphraſe upon the text I have de- " livered you, which is, " To remember a thing, to the " end we may forget it." You may imagine that I came " here with a doubt of ſucceſs of what I deſire, remembring " the diſtractions of the laſt meeting: but I aſſure you, that

" I ſhall

Charles I. 1627-8. "I ſhall very eaſily and gladly forget and forgive what is paſt, ſo that you will at this preſent time leave the former ways of diſtractions, and follow the counſel late given you, To maintain the unity of the ſpirit in the bond of peace."

The lord-keeper ſeconded his majeſty in this manner.

"My lords and gentlemen,

The lord-keeper's ſpeech. "YE are here in parliament by his majeſty's writ and royal command, to conſult and conclude of the weighty and urgent buſineſs of this kingdom. Weighty it is and great, as great as the honour, ſafety, and protection of religion, king, and country: and what can be greater? Urgent it is; it is little pleaſure to tell or think how urgent: and to tell it with circumſtances, were a long work: I will but touch the ſum of it in few words.

"The pope and houſe of Auſtria have long affected, the one a ſpiritual, the other a temporal monarchy: and to effect their ends, to ſerve each other's turn, the houſe of Auſtria, beſides the rich and vaſt territories of both the Indies, and in Africa, joined together, are become maſters of Spain and Italy, and the great country of Germany. And although France be not under their ſubjection, yet they have invironed all about it; the very bowels of the kingdom ſwayed by the popiſh faction: They have gotten ſuch a part, and ſuch interceſſion in the government, that under pretence of religion, to root out the proteſtants and our religion, they have drawn the king to their adherence, ſo far, that albeit upon his majeſty's interpoſition by his ambaſſadors, and his engagement of his royal word, there was between the king and his ſubjects articles of agreement, and the ſubjects were quiet; whereof his majeſty intereſted in that great treaty, was bound to ſee a true accompliſhment; yet againſt that ſtrict alliance, that treaty hath been broken, and thoſe of the religion have been put to all extremity, and undoubtedly will be ruined without preſent help. So as that king is not only diverted from aſſiſting the common cauſe, but hath been miſled to engage himſelf in hoſtile acts againſt our king and other princes, making way thereby for the houſe of Auſtria, to the ruin of his own and other kingdoms.

"Other potentates, that in former time did ballance and interrupt the growing greatneſs of the houſe of Auſtria, are now removed and diverted. The Turk hath made peace

"with

" with the emperor, and turned himſelf wholly into wars Charles I.
" with Aſia: The king of Sweden is embroiled in a war 1627-8.
" with Poland, which is invented by Spaniſh practices, to
" keep that king from ſuccouring our part: the king of Den-
" mark is chaced out of his kingdom, on this and on that
" ſide the Zound; ſo as the houſe of Auſtria is on the point
" to command all the ſea-coaſts from Dantzick to Embden,
" and all the rivers falling into the ſea in that great extent:
" ſo, as beſides the power by land, they begin to threaten
" our part by ſea, to the ſubverſion of all our ſtate.

" In the Baltic ſea, they are providing and arming all the
" ſhips they can build or hire; and have at this time their
" ambaſſadors treating at Lubeck, to draw into their ſervice
" the Hanſe towns, whereby taking from us and our neigh-
" bours the eaſt-land trade, by which our ſhipping is ſup-
" plied, they expect, without any blow given, to make
" themſelves maſters of that ſea. In theſe weſtern parts, by
" the Dunkirkers, and by the now French and Spaniſh ad-
" miral, to the ruin of fiſhing (of infinite conſequence both
" to us and the Low-countries) they infeſt all our coaſt, ſo
" as we paſs not ſafely from port to port. And that fleet
" which lately aſſiſted the French at the iſle of Rhee, is now
" preparing at St. Andrews, with other ſhips built in the
" coaſt of Biſcay to re-inforce it, and a great fleet is making
" ready at Liſbon; where, beſides their own, they do ſerve
" themſelves upon all ſtrangers bottoms coming to that coaſt
" for trade: and theſe great preparations are, no doubt, to
" aſſault us in England or Ireland, as they ſhall find advan-
" tage, and a place fit for their turn.

" Our friends of the Netherlands, beſides the fear that juſtly
" troubles them, leſt the whole force of the emperor may
" fall down upon them, are diſtracted by their voyages into
" the eaſt, which hath carried both men and money into ano-
" ther world, and much weakened them at home.

" Thus are we even ready on all ſides to be ſwallowed up;
" the emperor, France, and Spain, being in open war againſt
" us; Germany over-run; the king of Denmark diſtreſſed;
" the king of Sweden diverted; and the Low countrymen
" diſabled to give us aſſiſtance.

" I ſpeak not this to increaſe fear, unworthy of Engliſh
" courages, but to preſs to proviſion worthy the wiſdom of a
" parliament: and for that cauſe his majeſty hath called you
" hither, that by a timely proviſion againſt thoſe great im-
" minent dangers, ourſelves may be ſtrengthened at home,

Charles I. 1627-8. "our friends and allies encouraged abroad, and thoſe great "cauſes of fear ſcattered and diſpelled.

"And becauſe, in all warlike preparations, treaſure bears "the name, and holds the ſemblance of the nerves and "ſinews; and if a ſinew be too ſhort or too weak, if it be "either ſhrunk or ſtrained, the part becomes unuſeful: it "is needful, that you make a good and timely ſupply of "treaſure, without which all counſels will prove fruitleſs. I "might preſs many reaſons to this end, but I will name but "few.

"Firſt, for his majeſty's ſake, who requires it. Great is "the duty which we owe him by the law of God; great "by the law of nature, and our own allegiance; great for "his own merit, and the memory of his ever bleſſed father. "I do but point at them: but methinks our thoughts can-"not but recoil on one conſideration touched by his majeſty, "which to me ſeems ſo ſound, like a parliamentary pact "or covenant.

"A war was deviſed here, aſſiſtance profeſſed, yea, and "proteſted here: I do but touch it, I know you will deeply "think on it; and the more, for the example the king hath "ſet you; his lands, his plate, his jewels, he hath not ſpared, "to ſupply the war: What the people hath proteſted, the "king, for his part, hath willingly performed.

"Secondly, for the cauſe ſake. It concerns us in chri-"ſtian charity, to tender the diſtreſſes of our friends abroad; "it concerns us in honour not to abandon them, who have "ſtood for us. And if this come not cloſe enough, you "ſhall find our intereſt ſo woven and involved with theirs, "that the cauſe is more ours than theirs. If religion be in "peril, we have the moſt flouriſhing and orthodox church: "if honour be in queſtion, the ſtories and monuments in "former ages will ſhew, that our anceſtors have left as much "as any nation: if trade and commerce be in danger, we "are iſlanders, it is our life. All theſe at once lie at ſtake, "and ſo doth our ſafety and being.

"Laſtly, in reſpect of the manner of his majeſty's de-"mand, which is in parliament, the way that hath ever beſt "pleaſed the ſubjects of England. And good cauſe for it: "for aids granted in parliament work good effects for the "people; they be commonly accompanied with wholeſome "laws, gracious pardons, and the like. Beſides, juſt and "good kings finding the love of their people, and the readi-"neſs of their ſupplies, may the better forbear the uſe of

"their

" their prerogatives, and moderate the rigour of the laws to- Charles I.
" wards their ſubjects. 1627-8.

" This way, as his majeſty hath told you, he hath choſen;
" not as the only way, but as the fitteſt; not as deſtitute of
" others, but as moſt agreeable to the goodneſs of his own
" moſt gracious diſpoſition, and to the deſire and weal of his
" people. If this be deferred, neceſſity and the ſword of the
" enemy make way to the others. Remember his majeſty's
" admonition, I ſay, remember it.

" Let me but add, and obſerve God's mercy towards this
" land above all others. The torrent of war hath over-
" whelmed other churches and countries; but God hath
" hitherto reſtrained it from us, and ſtill gives us warning of
" every approaching danger, to ſave us from ſurprize. And
" our gracious ſovereign, in a true ſenſe of it, calls together
" his high court of parliament, the lively repreſentation
" of the wiſdom, wealth and power of the whole king-
" dom, to join together to repel thoſe hoſtile attempts,
" which diſtreſſed our friends and allies, and threatened our-
" ſelves.

" And therefore it behoves all to apply their thoughts unto
" counſel and conſultations, worthy the greatneſs and wiſdom
" of this aſſembly; to avoid diſcontents and diviſions, which
" may either diſtemper or delay; and to attend that Unum
" neceſſarium, the common cauſe; propounding for the
" ſcope and work of all the debates, the general good of the
" king and kingdom, whom God hath joined together with
" an indiſſoluble knot, which none muſt attempt to cut or
" untie. And let all, by unity and good accord, endeavour
" to pattern this parliament by the beſt that have been, that
" it may be a pattern to future parliaments, and may infuſe
" into parliaments a kind of multiplying power and faculty,
" whereby they may be more frequent, and the king our
" ſovereign may delight to ſit on his throne, and from thence
" to diſtribute his graces and favours amongſt his people.

" His majeſty hath given you cauſe to be confident of
" this, you have heard from his royal mouth; which never-
" theleſs he hath given me expreſs command to redouble:
" If this parliament, by their dutiful and wiſe proceedings,
" ſhall but give this occaſion, his majeſty will be ready, not
" only to manifeſt his gracious acceptation, but to put out
" all memory of thoſe diſtaſtes that have troubled former
" parliaments.

" I have but one thing more to add, and that is, as your
" conſultations be ſerious, ſo let them be ſpeedy. The ene-

Charles I. 1627-8.

" my is beforehand with us, and flies on the wings of ſucceſs. " We may dally and play with the hour-glaſs that is in our " power, but the hour will not ſtay for us; and an oppor- " tunity once loſt, cannot be regained.

" And therefore reſolve of your ſupplies, that they may " be timely and ſufficient, ſerving the occaſion: Your counſel, " your aid, all is but loſt, if your aid be either too little, or " too late: And his majeſty is reſolved, that his affairs can- " not permit him to expect it over long."

The king's intent in theſe two ſpeeches, and remarks thereon.

Theſe two ſpeeches need no comment, ſince they plainly ſpeak both the king's principles concerning the uſe of parliaments, and his intention, in caſe he received not from the preſent parliament the ſatisfaction he expected. The king does not ſeem to have uſed a proper means to gain the good-will of the commons. But it muſt be obſerved, that nothing was more oppoſite to his temper, than to ſtoop to his parliament. He thought it great condeſcenſion to declare, that though he had other ways of raiſing money, he was very willing to follow the old method of demanding a ſupply from the parliament. But for fear the commons ſhould think he was forced to it by a kind of neceſſity, he took care to intimate, that in caſe the money he demanded was not granted, he could raiſe it other ways. This was the ſole aim of theſe two ſpeeches.

As to the arguments alledged by the lord-keeper to excite the commons to give a plentiful ſupply to the king, they were too much exaggerated to produce a great effect. The pretended preparations of the Spaniards to invade England were a groundleſs chimera. Indeed, during this whole war, the Spaniards made no attempt upon Great Britain or Ireland. Nay, it was in the king's power to make peace with the Spaniard, who had no demands upon him, and yet, he would make believe that England was in imminent danger. As to the argument ſo often repeated, that the parliament adviſed the war, it was ſo worn out, that it could not make the leaſt impreſſion. There was not then a man in England, but what was perfectly informed, that the king and duke of Buckingham were the real authors of the Spaniſh war, and had fraudulently obtained from the parliament the advice continually inſiſted upon by the king.

A letter called the ſpeech without doors, publiſhed in

Before the commons had entered into any debates, there was a long letter communicated to them, directed, " To " my noble friends of the lower houſe of parliament," and diſperſed under the title of " A Speech without doors." The au-

author, who was unknown, pretended to have been formerly a member of the lower houſe, though he was not choſen to ſerve in the preſent parliament. His aim was to adviſe the commons how they were to proceed, and to lay before them the ſundry grievances complained of by the people. This writing made a great noiſe at that time, but I do not think it neceſſary to inſert the contents, ſince they were only the ſentiments of a private perſon. Charles I. 1627-8. the beginning of the parliament. Ruſhworth, t. i. p. 489. Annals, p. 238.

After the two houſes had preſented a petition to the king for a faſt, the commons began to examine the grievances of the nation, and ſeemed determined to grant no ſupply till theſe grievances were redreſſed. The firſt they took into conſideration were, billetting of ſoldiers, loans by benevolence and privy-ſeals, impriſonment of gentlemen refuſing to lend, denial of releaſe upon a habeas corpus; and ſeveral ſpeeches were made upon theſe occaſions. Sir Francis Seymour among other things ſaid—"How can we think of giving of ſubſidies, "till we know whether we have any thing to give or no? "For if his majeſty be perſuaded by any to take from his ſubjects what he will, and where it pleaſeth him; I would "gladly know what we have to give?—Hath it not been "preached in our pulpits, that all we have is the king's "JURE DIVINO?"—Sir Thomas Wentworth, afterwards ſo well known by the name of earl of Strafford, diſtinguiſhed himſelf by a ſpeech againſt the government. He ſaid truly, theſe things were not to be imputed to the king, but to the projectors, that is, to the miniſters or others who had formed the deſign of ſtretching the prerogative beyond its due bounds, of whom he ſpoke in this manner: "They "have brought the crown into greater want than ever, by "anticipating the revenues: And can the ſhepherd be thus "ſmitten, and the ſheep not ſcattered? They have introduced a privy-council, raviſhing at once the ſpheres of all "antient government, impriſoning us without either bail or "bond: they have taken from us, what? What ſhall I ſay "indeed, what have they left us? All means of ſupplying "the king and ingratiating ourſelves with him, taking up "the root of all propriety."—Sir Edward Coke, a great lawyer, ſpoke chiefly to the grievance of the loans, and ſaid among other things: "Who will give ſubſidies, if the king "may impoſe what he will? And if after parliament, the "king may inhance what he pleaſeth?—The king cannot "tax but by way of loans."—Thereupon he quoted the ſtatute of 25 Edward III. wherein it is ſaid, "That loans "againſt the will of the ſubject, are againſt reaſon, and the Divers ſpeeches in the houſe concerning grievances. Mar. 20, 22. Ruſhworth, t. i. p. 498, 499. Annals, p. 243, &c. Ruſhworth, t. i. p. 500. Sir Edward Coke's. id. p. 502.

Charles I. 1627-8.

franchiſes of the land;"—and concluded with this paragraph out of Magna Charta—"Nullus liber homo capiatur, "vel impriſonetur aut diſſeiſietur de libero tenemento ſuo, "&c. niſi per legale judicium parium ſuorum, vel per legem "terræ." Another ſpeaking of the impriſonment of thoſe who had refuſed to lend the king money, ſaid,—"O improvident anceſtors! O unwiſe forefathers! to be ſo curious "in providing for the quiet poſſeſſion of our lands, and liberties of parliament, and to neglect our perſons and bodies, "and to let them die in priſon, and that durante beneplacito, "remedileſs: If this be law, what do we talk of our liberties? Why do we trouble ourſelves with the diſpute of "law, franchiſes, propriety of goods? What may a man call "his, if not liberty?"

Sir Robert Philips. Id. p. 504.

I intend not to inlarge any farther upon what was ſaid in the houſe of commons upon theſe points. This ſuffices to ſhow how the majority were diſpoſed. All their arguments tended to demonſtrate, that if the king had power to take the goods of his ſubjects by a bare act of his will, whether by way of loan or otherwiſe, and to impriſon ſuch as refuſed to obey his orders without being admitted to bail, they were either to be entirely ſubject to the king's pleaſure, or to begin with firmly eſtabliſhing the rights of the people, to the prevention of tyranny. The court-party durſt not directly oppoſe this general ſentiment, but endeavoured by ſeveral arguments to intimate, that to gain his majeſty's good will, ſupplies were in the firſt place to be granted. Then, they gave hopes, that the king, moved with ſuch a mark of affection for his perſon, would not be againſt redreſſing the grievances [m]. But this made little impreſſion upon the reſt, who were by far the majority, and who verily believed, that to begin with the ſubſidies was the ready way to have the grievances unredreſſed. Mean while, to make a diverſion, ſecretary Coke preſented to the houſe certain propoſitions from the king, concerning ſupply; but it was reſolved, that the reading thereof ſhall be deferred till the houſe had taken ſome reſolution with reſpect to the grievances, eſpecially the impriſonment of the ſubjects, and denial of bail. There were very great debates upon theſe points, and the judges themſelves were heard. At laſt, the houſe came to the following reſolutions, directly contrary to the king's pretenſions, and the judges determinations;

The courtiers try to put off the examination of grievances. Ruſhworth, t. i. p. 502, 506. Annals.

Propoſitions from the king put off to another day. March 25. Ruſhworth, t. i. p. 506, &c.

[m] Mr. ſecretary Coke in particular made two ſpeeches, on March 22, and 24, wherein he allowed that grievances ought to be redreſſed, but adviſed the houſe to let ſupplies take the precedency. Ruſhworth, tom. i. p. 502.

That

That is, they eſtabliſhed maxims oppoſite to thoſe of the king; namely, Charles I. 1627-8.

"I. That no freeman ought to be detained or kept in "priſon, or otherwiſe reſtrained by the command of the king "or privy-council, or any other, unleſs ſome cauſe of the "commitment, detainer, or reſtraint be expreſſed, for which "by law he ought to be committed, detained, or reſtrained. The commons reſolutions. id. p. 513.

"II. That the writ of Habeas Corpus may not be denied, "but ought to be granted to every man that is committed or "detained in priſon, or otherwiſe reſtrained, though it be by "the command of the king, the privy-council, or any other, "he praying the ſame.

"III. That if a freeman be committed or detained in "priſon, or otherwiſe reſtrained by the command of the king, "the privy-council, or any other, no cauſe of ſuch commit-"ment, detainer, or reſtraint being expreſſed, for which by "law he ought to be committed, detained, or reſtrained, and "the ſame being returned upon a Habeas Corpus, granted "for the ſaid party, then he ought to be delivered or bailed.

"IV. That it is the antient and undubitable right of every "freeman, that he hath a full and abſolute property in his "goods and eſtate; that no tax, tallage, loan, benevolence, "or other like charge ought to be commanded or levied by "the king, or any of his miniſters, without common conſent "by act of parliament [n]."

1628. The propoſitions tendered the day before by ſecretary Coke from his majeſty, were now received and read, but the debate thereof was referred to another day. The propoſitions were theſe: The king's demands. March 26. Ruſhworth, t. i. p. 513. Annals, p. 251.

"1. To furniſh with men and victuals thirty ſhips to "guard the narrow ſeas, and along the coaſts.

"2. To ſet out ten other ſhips for relief of the town of "Rochel.

"3. To ſet ten other ſhips for the preſervation of the "Elbe, the Sound, and the Baltick ſea.

"4. To levy arms, cloth, victual, pay, and tranſport an "army of ten thouſand horſe, and ten thouſand foot, for "foreign ſervice.

[n] This year were the following creations. March 9, John lord Mordant was created earl of Peterburgh. March 14, William Maynard, Baron Maynard of Eſtaynes. The 25th, Thomas Belaſis baron Fauconberge. The 26th, Henry Lord Graye of Groby earl of Stanford. June 23, John Powlett baron Powlett of Hinton St. George. And the 29th, Robert Pierrepont baron Pierrepont, and viſcount Newark. Rymer's Fœd. tom. xviii. p. 983, &c.

Charles I. 1627-8.

"5. To pay and ſupply ſix thouſand more for the ſervice of Denmark.

"6. To ſupply the forts of the office of ordnance.

"7. To ſupply the ſtores of the navy.

"8. To build twenty ſhips yearly for the increaſe of the navy.

"9. To repair the forts within the land.

"10. To pay the arrears of the office of ordnance.

"11. To pay the arrears of the victuallers office.

"12. To pay the arrears of the treaſure of the navy.

"13. To pay the arrears due for the freight of divers merchant-ſhips employed in his majeſty's ſervice.

"14. To provide a magazine for victuals for land and ſea-ſervice."

The houſe eaſily perceived by the reading of theſe articles, that it would be a work of infinite labour, to examine the neceſſity and juſtice of each, and as there were no eſtimates made they plainly ſaw, if they ſhould take the particulars into conſideration, the court would mount the expence very high. Wherefore, without entering into any diſcuſſion, they reſolved in general to grant the king a large ſupply [o].

The council's conduct examined. April 2. Ruſhworth, t. i. p. 521, &c. Annals, p. 264-279.

After that, they returned to the examination of this particular grievance, that the king's council, by their bare authority, had confined to their houſes, ſome that refuſed to lend money; had ſent away others to diſtant places from their homes; and conſtrained ſome on the ſame account, to go and ſerve the king in foreign countries [p]. Upon this point, Sir Thomas Wentworth ſaid, "If any man owes a man a "diſpleaſure, and ſhall procure him to be put into foreign "employment, it will be a matter of high concernment to "the ſubject: We know the honour and juſtice of the king, "but we know not what his miniſters, or the mediation of "ambaſſadors may do, to work their own wrath upon any "man." Theſe debates produced this reſolution;

Reſolution of the houſe

"That no freeman ought to be confined by any command "from the king, or privy-council, or any other, unleſs it be "by act of parliament, or by other due courſe, or warrant "of law."

[o] March 31, the commons preſented a petition to the king againſt recuſants, which, together with the king's anſwer, is to be ſeen in Ruſhworth, tom. 1. p. 516, &c.

[p] Sir Peter Hayman, who was ſent to the Palatinate for refuſing to lend money, opened his own caſe. Idem. p. 522.

All

All theſe determinations promiſed the king no good with reſpect to his prerogative; and as he feared the commons would again attack the duke of Buckingham, he tried to divert them from it by a meſſage delivered to the houſe by ſecretary Coke. It was upon a rumour, that the duke had ſpoken ill of the parliament at the council-board. The king aſſured, it was not true, and the ſecretary added, if the duke had ſo ſpoken, he would have contradicted himſelf, for the whole council could bear him witneſs, he was the firſt mover of calling the parliament. But he took care not to tell them, it was merely out of policy, purſuant to Cotton's advice. Charles I. 1628. Meſſage from the king about the duke of Buckingham. April 3. Ruſhworth, t. i. p. 523.

The next day the king ſent another meſſage to the commons, deſiring them to take the affair of ſupply into conſideration. He told them likewiſe, that as to the freedom of perſons, and propriety of goods, he was willing to come into any expedients which ſhould be judged convenient, by way of bill, or otherwiſe; and that the more confidence they ſhould ſhew in his grace and goodneſs, the more they ſhould prevail to obtain their deſires. Another meſſage from the king to the commons. p. 524.

Upon this meſſage, the houſe unanimouſly voted five ſubſidies to the king [q], but returned immediately to the examination of grievances, and held a conference with the lords upon that ſubject. Five ſubſidies voted. p. 525, 527, &c.

Eaſter holidays approaching, the king ſent and deſired the commons not to adjourn, that affairs might be the more ſpeedily diſpatched. This meſſage occaſioned a debate, ſome members fearing ſuch a precedent might be a prejudice to the privileges of the houſe, and the king for the future think he had power to hinder an adjournment when he pleaſed. But at length it was reſolved to do as the king deſired. The king hinders the houſe from adjourning at Eaſter. April 10. id. p. 537.

The 11th of April, ſecretary Coke moved the diſpatch of the ſubſidies, ſaying, the votes to grant the king money were nothing till turned into a bill. But being oppoſed by ſeveral, it was reſolved, that grievances and ſupply ſhould go hand in hand. He preſſes the commons about ſupply. Reſolved that ſupply and grievances go hand in hand.

The day following, Coke brought another meſſage from the king to the houſe, to this effect: "That his majeſty had "long ſince expected ſome fruit of that which was ſo hap-"pily begun; but finding a ſtop beyond all expectation, "his command was, that without any further delay, they A threatening meſſage from the king. Ruſhworth, t. i. p. 538. Annals, p. 280.

[q] The king thankfully received them, acknowledging it the greateſt gift that ever was given in parliament. He added, that he liked parliaments at the firſt, though, ſince, he was grown to a diſtaſte of them; but now he loves them, and ſhall rejoice to meet with his people often. Idem. p. 525.

"ſhould

Charles I. 1628. "ſhould proceed in the affair of ſupply. For notwithſtanding his conſenting that ſupply and grievances ſhould go together, his meaning was not, that the one ſhould give interruption to the other, nor the time be ſpun out on any pretence. And therefore bid them take heed, that they did not force him to make an unpleaſing end of what was ſo well begun."

It does the king great injury.

This meſſage did the king great injury. 1. Becauſe of the threatening. 2. By reaſon of his inſtances, that the affair of ſupply ſhould be diſpatched before that of grievances; for it was not doubted, that if the firſt were finiſhed, the parliament would be immediately prorogued. 3. Laſtly, The king's unwillingneſs to redreſs the grievances, was a clear evidence, he would never be brought to it of his own accord, and conſequently it was neceſſary to conſtrain him thereto. This was the more probable, as Coke, when he delivered the meſſage, added, "That the king would willingly hear any thing concerning the abuſes of power, but not about power itſelf." Theſe expreſſions were liable to many cavils, and plain intimations, that the king reſerved to himſelf, by this reſtriction, a means to evade the grievances. And indeed, Coke being moved to explain what he meant by the word Power, refuſed it [r].

Another meſſage from the king upon the ſame account. Ruſhworth, t. i. p. 539. Annals.

Two days after, the ſecretary delivered another meſſage from the king, to haſten the affair of ſupply. Theſe meſſages, which came thus one upon another, gave frequent occaſions to the court-party to preſs the houſe to content his majeſty. All their ſpeeches upon this head, met in one point, namely, to inſpire the houſe with a dread, that a quarrel between them and the king, would be fatal to parliaments, and give the king occaſion to proceed without them for the future. As the king himſelf, and the lord keeper (by his order) had frequently made uſe of the ſame means to frighten the commons, it could not be doubted, that theſe men ſpoke purſuant to the intentions, and perhaps by the order of the court. A privy-counſellor's ſpeech in the lower-houſe laſt parliament was not yet forgot, and of which the commons had thought fit to take notice, in the remonſtrance they would have preſented to the king. The deſign of that ſpeech was to intimate to the commons, that if they did not content the king, they would run the riſque of being the cauſe of no more parliaments in England. This threat ſo often *inſinuated* by the

[r] He anſwered, "I cannot deſcend to particulars, or go from that his majeſty gave me warrant or power to deliver." Idem. p. 539.

king

king himſelf, by the lord keeper, by the members of the houſe, known to be devoted to the court, ſometimes in dark, ſometimes in plain terms, had a quite contrary effect to what the king expected. Inſtead of terrifying the commons, it convinced them how watchful they ought to be of the king's proceedings, leſt their condeſcenſion, or even their ſilence, ſhould authorize ſome things very prejudicial to the liberties of the nation, whom they repreſented. "What! (ſaid moſt of the members among themſelves) we are threatened, that if we don't "grant the king whatever he requires, and when he pleaſes, "if we oppoſe his pleaſure, even when contrary to the laws, "he will govern without a parliament, that is, with an unlimited power; he will impriſon our perſons, ſeize our "eſtates, and conſider the whole kingdom as his property! "But he does not only threaten us, he has put his threats "in execution already. Which then is beſt, either for him "to uſurp an abſolute power againſt our will, or for us to "ſuffer it, nay, approve it by our ſilence, and ſervile fears? "Of the two, certainly the firſt is leaſt dangerous. A time "may come, when the king ſhall have occaſion for parliaments, and then we ſhall be able to recover the ground "we ſhall have loſt. But if we betray the intereſt of our "country, by tamely yielding to the king the power he "would aſſume, our liberty will be irrecoverably loſt. We "ſhall lay upon ourſelves and poſterity, a yoke which our "forefathers could never bear, and be held in abhorrence "by the whole nation. And after all, what ſhall we gain "by our condeſcenſion? Why, the king will continue the "uſe of parliaments, provided he ſhall be abſolute maſter; "order them to give him ſuch a ſum, and by ſuch a time; "forbid them to examine grievances; in a word, manage "them entirely as he pleaſes. Thus we ſhall prevent the "king's governing without a parliament, but ſhall eſtabliſh "a precedent which will render parliaments for ever ſlaves "to the king and his miniſters." Charles I. 1628.

Such were the reaſonings of the greateſt part of the commons, and though they did not openly ſay theſe very words, the houſe ſhowed by their whole conduct, that theſe conſiderations were the real foundation of all their proceedings. For this reaſon it was reſolved to deſire an audience, in order to anſwer all his majeſty's meſſages, and to preſent him withal a petition concerning billetting of ſoldiers upon the ſubject. Their repreſentation to the king by the mouth of their ſpeaker, was as follows;

"Moſt

Charles I. 1628.

The ſpeaker's ſpeech to the king at the delivery of the petition for billeting ſoldiers. Ruſhworth, tom. i. p. 540.

"Moſt gracious and dread ſovereign,

"YOUR dutiful and loyal commons here aſſembled, were lately humble ſuitors to your majeſty for acceſs to your royal preſence; the occaſion that moved their deſires herein, was a particular of importance, worthy your princely conſideration; which, as it well deſerves, ſhould have been the only ſubject of my ſpeech at this time.

"But ſince your gracious anſwer for this acceſs, obtained by a meſſage from your majeſty, they have had ſome cauſe to doubt, that your majeſty is not ſo well ſatisfied with the manner of their proceedings, as their hearty deſire is you ſhould be, eſpecially in that part which concerns your majeſty's preſent ſupply, as if in the proſecution thereof, they had of late uſed ſome ſlackneſs or delay.

"And becauſe no unhappineſs of theirs can parrallel with that which may proceed from a miſunderſtanding in your majeſty, of their clear and loyal intentions, they have commanded me to attend your majeſty, with an humble and ſummary declaration of their proceedings, ſince this ſhort time of their ſitting, which they hope will give your majeſty abundant ſatisfaction, that never people did more truly deſire to be endeared in the favour and gracious opinion of their ſovereign; and withal to let you ſee, that as you can have no where more faithful counſel, ſo your great deſigns and occaſions can no way be ſo ſpeedily or heartily ſupported, as in this old and ancient way of parliament.

"For this purpoſe they humbly beſeech your majeſty to take into your royal conſideration, that although by ancient right of parliament, the matters there debated are to be diſpoſed in their true method and order, and that their conſtant cuſtom hath been to take into their conſiderations the common grievances of the kingdom, before they enter upon the matter of ſupply; yet to make a full expreſſion of that zeal and affection which they bear to your royal majeſty, equalling at leaſt, if not exceeding the beſt affections of their predeceſſors, to the beſt of your progenitors; they have in this aſſembly, contrary to the ordinary proceedings of parliament, given your majeſty's ſupply precedence, before the common grievance of the ſubject, how preſſing ſoever, joining with it only thoſe

"fundamental

" fundamental and vital liberties of the kingdom, which give Charles I.
" ſubſiſtence and ability to your ſubjects. 1628.

" This was their original order and reſolution, and was
" grounded upon a true diſcerning, that theſe two conſider-
" ations could not be ſevered, but did both of them entirely
" concern your majeſty's ſervice, conſiſting no leſs in en-
" abling and encouraging the ſubject, than in proportioning
" a preſent ſuiting to your majeſty's occaſions, and their abi-
" lities; nay, ſo far have they been from uſing any unne-
" ceſſary delays, as though, of the two, that of the ſupply
" were the latter propoſition amongſt them, the grand com-
" mittee to which both were referred, hath made that of
" your majeſty's ſupply firſt ready for concluſion.

" And, to be ſure your majeſty's ſupply might receive no
" interruption by the other, differing from uſage and cuſtom
" (in caſes of this nature) ſent up of thoſe that concern the
" ſubjects by parcels, ſome to your majeſty, and ſome to the
" lords, to the end your majeſty might receive ſuch ſpeedy
" content as ſuited with the largeſt and beſt extent of their
" firſt order.

" Sir, you are the breath of our noſtrils, and the light of
" our eyes, and beſides thoſe many comforts, which under
" you and your royal progenitors, in this frame of government,
" this nation hath enjoyed, the religion we profeſs hath taught
" us whoſe image you are; and we do all moſt humbly be-
" ſeech your majeſty to believe that nothing is or can be more
" dear unto us than the ſacred rights and prerogatives of your
" crown; no perſon or council can be greater lovers of you
" nor be more truly careful to maintain them; and the pre-
" ſerving of thoſe fundamental liberties which concern the
" freedom of our perſons, and propriety of goods and eſtates,
" is an eſſential means to eſtabliſh the true glory of a mo-
" narchy.

" For rich and free ſubjects, as they are beſt governed,
" ſo they are moſt liable to do your majeſty ſervice either
" in peace or war, which next under God hath been the
" cauſe of the happy and famous victories of this nation, be-
" yond other kingdoms of larger territories and greater num-
" ber of people.

" What information ſoever contrary to this ſhall be
" brought unto your majeſty, can come from no other than
" ſuch, as for their own ends, under colour of advancing
" the prerogative, do indeed undermine and weaken royal
" power by impoveriſhing the ſubjects, render this monar-

" chy.

Charles I. 1628.

"chy leſs glorious, and the people leſs able to ſerve your "majeſty.

"Having (by this that hath been ſaid) cleared our hearts "and proceedings to your majeſty, our truſt is, that in your "royal judgment we ſhall be free from the leaſt opinion of "giving any unneceſſary ſtop to our proceedings in the "matter of your ſupply, and that your majeſty will be pleaſ- "ed to entertain belief of our alacrity and chearfulneſs "in your ſervice, and that hereafter no ſuch misfortune "ſhall befal us, to be miſunderſtood by your majeſty in "any thing.

"We all moſt humbly beſeech your majeſty to receive no "information in this or any other buſineſs from private rela- "tions, but to weigh and judge of our proceedings by thoſe "reſolutions of the houſe that ſhall be repreſented from our- "ſelves.

"This, rightly and graciouſly underſtood, we are confi- "dent from the knowledge of your goodneſs and our own "hearts, that the ending of this parliament ſhall be much "more happy than the beginning, and be to all ages ſtyled "the bleſſed parliament, for making perfect union between "the beſt king and the beſt people, that your majeſty may "ever delight in calling us together, and we in the comforts "of your gracious favour towards us.

"In this hope I return to my firſt errand, which will "beſt appear by that which I ſhall humbly deſire you to "hear, and being an humble petition from the houſe of "commons, for redreſſing of thoſe many inconveniencies "and diſtractions that have befallen your ſubjects by the "billeting of ſoldiers in private men's houſes againſt their "wills.

"Your royal progenitors have ever held your ſubjects "hearts the beſt garriſon of this kingdom; and our humble "ſuit to your majeſty is, that our faith and loyalty may "have ſuch place in your royal thoughts, as to reſt aſ- "ſured, that all your ſubjects will be ready to lay down "their lives for the defence of your ſacred perſon, and this "kingdom.

"Not going ourſelves into our countries this Eaſter, we "ſhould think it a great happineſs to us, as we know it "would be a ſingular comfort and encouragement to them "that ſent us hither, if we might but ſend them the news "of a gracious anſwer from your majeſty in this particular, "which the reaſons of the petition we hope will move your "moſt excellent majeſty graciouſly to vouchſafe us."

The

The petition concerning the billeting of ſoldiers, preſented to the king's moſt excellent majeſty.

Petition concerning the billeting of ſoldiers. Rushworth, tom. i. p. 542.

"IN all humility complaining, ſheweth unto your moſt excellent majeſty your loyal and dutiful commons now in parliament aſſembled, that whereas by the fundamental laws of this realm, every freeman hath, and of right ought to have, a full and abſolute propriety in his goods and eſtate, and that therefore the billeting and placing the ſoldiers in the houſe of any ſuch freeman againſt his will, is directly contrary to the ſaid laws, under which we and our anceſtors have been ſo long and happily governed; yet in apparent violation of the ſaid ancient and undoubted right of all your majeſty's loyal ſubjects of this your kingdom in general, and to the grievous and inſupportable vexation and detriment of many counties and perſons in particular, a new and almoſt unheard-of way hath been invented and put in practice, to lay ſoldiers upon them, ſcattered in companies here and there, even in the heart and bowels of this kingdom; and to compel many of your majeſty's ſubjects to receive and lodge them in their own houſes, and both themſelves and others to contribute towards the maintenance of them, to the exceeding great diſſervice of your majeſty, the general terror of all, and utter undoing of many of your people, inſomuch as we cannot ſufficiently recount, or in any way proportionable to the lively ſenſe that we have of our miſeries herein, are we able to repreſent unto your majeſty, the innumerous miſchiefs and moſt grievous vexations that by this means alone we do now ſuffer, whereof we will not preſume to trouble your ſacred ears with particular inſtances; only, moſt gracious ſovereign, we beg leave to offer to your moſt gracious view, a compaſſionate conſideration of a few of them in particular.

"1. The ſervice of almighty God is hereby greatly hindered, the people in many places not daring to repair to the church, leſt in the mean time the ſoldiers ſhould rifle their houſes.

"2. The ancient and good government of the country is hereby neglected and almoſt contemned.

"3. Your officers of juſtice in performance of their duties have been reſiſted and endangered.

"4. The rents and revenues of your gentry greatly and generally diminiſhed; farmers to ſecure themſelves from

the

Charles I. 1628. "the ſoldiers inſolence, being by the clamour of ſollicitation "of their fearful and injured wives and children, enforced to "give up their wonted dwellings, and to retire themſelves "into places of more ſecure habitation.

"5. Huſbandmen, that are as it were the hands of the "country, corrupted by ill example of the ſoldiers and en- "couraged to idle life, give over work, and rather ſeek to "live idly at another man's charges, than by their own la- "bours.

"6. Tradeſmen and artificers almoſt diſcouraged, and "being inforced to leave their trades, and to employ their "time in preſerving themſelves and their families from "cruelty.

"7. Markets unfrequented, and our ways grown ſo dan- "ous, that the people dare not to paſs to and fro upon their "uſual occaſions.

"8. Frequent robberies, aſſaults, batteries, burglaries, "rapes, rapines, murders, barbarous cruelties, and other "moſt abominable vices, and outrages, are generally com- "plained of from all parts, where theſe companies have "been and had their abode, few of which inſolences have "been ſo much as queſtioned, and fewer according to their "demerit puniſhed.

"Theſe, and many other lamentable effects (moſt dread "and dear ſovereign) have by the billeting of ſoldiers alrea- "dy fallen upon us your loyal ſubjects, tending no leſs to the "diſſervice of your majeſty, than to their impoveriſhing and "deſtruction, ſo that thereby they are exceedingly diſabled "to yield to your majeſty thoſe ſupplies for your urgent oc- "caſions, which they heartily deſire; and yet they are fur- "ther perplexed with apprehenſion of more approaching dan- "gers, one in regard of your ſubjects at home, the other of "enemies from abroad, in both which reſpects it ſeems to "threaten no ſmall calamity to the meaner ſort of your people "being exceeding poor, whereof in many places are great "multitudes, and therefore in times of more ſettled and moſt "conſtant adminiſtration of juſtice, not eaſily ruled, are "moſt apt upon this occaſion to caſt off the reins of govern- "ment, and by joining themſelves with thoſe diſordered ſol- "diers, are very likely to fall into mutiny and rebellion; which "in faithful diſcharge of our duties we cannot forbear moſt "humbly to preſent to your high and excellent wiſdom, be- "ing preſſed with probable fears that ſome ſuch miſchief will "ſhortly enſue, if an effectual and ſpeedy courſe be not taken

"to

" to remove out of the land, or otherwiſe to diſband, thoſe Charles II.
" unruly companies. 1628.

" For the ſecond, we do moſt humbly beſeech your ma-
" jeſty to take into your princely conſideration, that many
" of thoſe companies, beſides their diſſolute diſpoſitions and
" carriages, are ſuch as do openly profeſs themſelves papiſts,
" and therefore to be ſuſpected, that if occaſion ſerve they
" will rather adhere to a foreign enemy of that religion,
" than to your majeſty, their leige lord and ſovereign, eſpe-
" cially ſome of their captains and commanders being as po-
" piſhly affected as themſelves, and having ſerved in the wars
" on the part of the king of Spain and archducheſs againſt
" your majeſty's allies; which of what pernicious conſe-
" quence it may prove, and how prejudicial to the ſafety of
" your kingdom, we leave to your majeſty's high and prince-
" ly wiſdom.

" And now upon theſe, and many more which might be
" alledged, moſt weighty and important reaſons, grounded
" on the maintenance of the worſhip and ſervice of Almighty
" God, the continuance and advancement of your majeſty's
" high honour and profit, the preſervation of the ancient and
" undoubted liberties of your people, and therein of juſtice,
" induſtry, valour, which nearly concern the glory and hap-
" pineſs of your majeſty and all your ſubjects, and the pre-
" venting of calamity and ruin both of church and common-
" wealth:

" We your majeſty's moſt humble and loyal ſubjects
" the knights, citizens, and burgeſſes of your houſe
" of commons, in the name of all the commonalty
" of your kingdom, who are upon this occaſion moſt
" miſerably diſconſolate and afflicted, proſtrate at the
" throne of your grace and juſtice, do moſt ardent-
" ly beg a preſent remove of this inſupportable bur-
" den, and that your majeſty would be graciouſly
" pleaſed to ſecure us from the like preſſure in the
" time to come."

The manner in which the king and the commons tranſacted together is very pleaſant. There was nothing but evaſion and artifice on both ſides: they expreſſed not their thoughts when they ſpoke to each other, and yet underſtood one another perfectly, though they made as if they did not. The commons knew that the reaſons to juſtify the delay of ſupply, alledged in their repreſentation, were not valid, and that Remarks on the behaviour of the king and commons.

Charles I. 1628. the king was perſuaded of the ſame: but they thought he would ſeem to be ſatisfied with them, in order not to oblige them to tell him to his face they could not rely on his promiſes, and conſidered this delay as the only way to have their grievances redreſſed. The king feigned to be ignorant of this motive, and took advantage of the commons uſing obſcure inſinuations inſtead of ſpeaking plainly. On the other hand, though the king had no deſign to redreſs grievances, he would however have it thought he intended it as ſoon as the affair of ſupply was diſpatched. The commons on their part feigning not to know his intention, had a mind to make believe that the delay of ſupply proceeded from quite another cauſe, though they were ſure the king could not miſtake. But as the king did not think himſelf obliged to uſe the ſame ceremony with the commons as they ought to uſe with him, he talked to them in a higher tone, knowing they would not, without neceſſity, be induced to ſpeak more clearly. To their repreſentation therefore he made this reply:

The king's reply. Ruſhworth, tom. i. p. 545.

"Mr. Speaker, and gentlemen,

"WHEN I ſent you my laſt meſſage, I did not expect "a reply, for I intended it to haſten you: I told you "at your firſt meeting, this time was not to be ſpent in "words, and I am ſure it is leſs fit for diſputes, which if I "had a deſire to entertain, Mr. Speaker's preamble might "have given me ground enough: the queſtion is not now "what liberty you have in diſpoſing of matters handled in "your houſe, but rather at this time what is fit to be done.

"Wherefore I hope you will follow my example, in eſ-"chewing diſputations, and fall to your important buſineſs. "You make a proteſtation of your affection and zeal to my "prerogative, grounded upon ſuch good and juſt reaſons, "that I muſt believe you: but I look that you uſe me with "the like charity, to believe what I have declared more than "once, ſince your meeting with us, that I am as forward as "you for the neceſſary preſervation of your true liberties. "Let us not ſpend ſo much time in this, that may hazard "both my prerogative and your liberties to our enemies.

"To be ſhort, go on ſpeedily with your buſineſs, with-"out any more apologies, for time calls faſt on you, which "will neither ſtay for you nor me. Wherefore it is my duty "to haſten, as knowing the neceſſity of it, and yours to give "credit to what I ſay, as to him that ſits at the helm.

"For what concerns your petition, I ſhall make anſwer "in a convenient time."

The

The commons, as I ſaid, meant to reap ſome advantage by the five ſubſidies, they were willing to grant the king; and this was a neceſſary condition, which they continually inſinuated, though they avoided uſing that expreſſion[s]. To that end they had prepared a petition to be preſented to the king, in the name of both houſes, to which they deſired the concurrence of the lords. This petition was termed the Petition of Right, becauſe it was pretended not to deſire of the king any grace or favour, but only the maintenance of the liberties of the ſubject. For this reaſon it was to be ſolemnly preſented to the king on his throne by way of bill, and the king was to reply to it in a parliamentary manner. A draught of it had been ſent to the lords for their concurrence[t]. The king was alarmed at it. He was deſirous to avoid receiving ſuch a petition, which too plainly eſtabliſhed the rights of the people, becauſe he ſaw, if he rejected it, he ſhould loſe the five ſubſidies, the bill not being yet paſſed. On the other hand, in granting the contents of the petition, he himſelf tied up his hands for the future, and confeſſed withal, that the acts of authority he had hitherto exerciſed, were contrary to law. Into this ſtreight preciſely it was that the commons meant to draw him by the petition of right. Wherefore he omitted nothing in his power to divert the blow. As he had a great influence in the upper houſe, he ſo managed, that the lords, by pretending to agree with the commons upon the ſubſtance of the petition, moved the praying his majeſty to make the following declarations.

Charles I. 1628.

Project of the petition of right to be preſented to the king by both houſes. Ruſhworth, tom. i. p. 545.

The king tries to hinder it.

Propoſitions made by the lords, touching the petition of right. Ruſhworth, t. i. p. 546. Annals, p. 282.

" 1. That the good old law called Magna Charta, and the " ſix ſtatutes, conceived to be declarations and explanations " of that law, do ſtill ſtand in force to all intents and pur- " poſes.

" 2. That his majeſty would be pleaſed graciouſly to de- " clare, that according to Magna Charta, and the ſtatutes " aforenamed, as alſo according to the moſt antient cuſtoms " and laws of this land, every free ſubject of this realm hath " a fundamental propriety in his goods, and a fundamental " liberty of his perſon.

[s] From the 2nd to the 24th of April, in a grand committee, they ſpent moſt of their time in debate about martial law, and about the petition of right. Ruſhworth, tom. i. p. 545.

[t] The king's ſerjeant Ridley ſaid in his diſcourſe, that "the propoſitions " made by the commons tended rather " to anarchy than [illegible] and that " they muſt allow the King to govern " by acts of ſtate." For which the lords committed him, and he recanted. Ruſhworth, tom. i. p. 543. Whitelock, p. 19.

Charles I. 1628. "3. That his majeſty would be graciouſly pleaſed to declare, that it is his royal pleaſure to ratify and confirm unto "all and every his loyal and faithful ſubjects, all their antient, "ſeveral, juſt liberties, privileges, and rights, in as ample and "beneficial manner, to all intents and purpoſes, as their anceſtors did enjoy the ſame under the beſt of his moſt noble "progenitors.

"4. That his majeſty would be further pleaſed graciouſly "to declare, for the good content of his loyal ſubjects, and "for the ſecuring them from future fear, that in all caſes "within the cognizances of the common law, concerning "the liberties of the ſubject, his majeſty would proceed according to the common law of this land, and according to "the laws eſtabliſhed in the kingdom, and in no other manner or wiſe.

"5. As touching his majeſty's royal prerogative, intrinſical to his ſovereignty, and betruſted him withal from God, "ad communem totius populi ſalutem, & non ad deſtructionem," That his majeſty would reſolve, not to uſe or "divert the ſame, to the prejudice of any his loyal people in "the propriety of their goods, or liberty of their perſons: "and in caſe for the ſecurity of his majeſty's royal perſon, "the common ſafety of his people, or the peaceable government of this kingdom, his majeſty ſhall find juſt cauſe, for "reaſon of ſtate, to impriſon or reſtrain any man's perſon, "his majeſty would graciouſly declare, that within a convenient time he ſhall, and will expreſs the cauſe of the commitment or reſtraint, either general or ſpecial; and upon a "cauſe ſo expreſſed, will leave him immediately to be tried "according to the common juſtice of the kingdom."

Rejected by the commons. * Ruſhworth, v. i. p. 548. Annals.

But the commons avoided this ſnare, plainly perceiving it was only an artifice to evade the petition of right, which would become as uſeleſs, after theſe declarations. Indeed, there was a great difference, as we ſhall ſee preſently, between theſe declarations, and what was required in the petition. The declarations were all expreſſed in general terms, which gave the king room to cavil upon the performance of each article, as he had done in the affair of the loans, and the impriſonment of thoſe that refuſed to comply. In thoſe caſes, the king did not pretend to act contrary to theſe laws, but rather thought himſelf authorized by the law; and the judges of the realm had countenanced his pretenſions. But the petition of right was more full and expreſs, and left but little room for cavils. On the other hand, the difference was not leſs, between the direct and parliamentary reply demanded by the com-

commons, and the bare and general declarations which were not capable of contenting the people. So, the commons entirely rejected the propoſition of the lords. Charles I. 1628.

The king not ſucceeding in his deſign by means of the upper-houſe, tried to ſatisfy the commons by making them, of his own accord, the ſame offers the lords had ſeemed only to deſire of him. To that purpoſe, having ſent for both houſes to Whitehall, the lord-keeper, in his preſence, ſpoke to them in the following manner: The king ſends for both houſes to Whitehall. April 28.

" My lords, and ye the knights, citizens and burgeſſes of " the houſe of commons.

" YE cannot but remember the great and important affairs, " concerning the ſafety both of ſtate and religion, de- " clared firſt from his majeſty's own mouth, to be the cauſes " of the aſſembling of this parliament; the ſenſe whereof, as " it doth daily increaſe with his majeſty, ſo it ought to do, " and his majeſty doubts not but it doth ſo with you, ſince " the danger increaſeth every day, both by effluxion of time, " and preparations of the enemy. The lord-keeper's ſpeech to both houſes. Ruſhworth, t. i. p. 549. Annals.

" Yet his majeſty doth well weigh, that this expence of " time hath been occaſioned by the debate which hath ariſen " in both houſes, touching the liberty of the ſubject; in " which, as his majeſty takes in good part the purpoſe and in- " tent of the houſes, ſo clearly and frequently profeſſed, that " they would not diminiſh or blemiſh his juſt prerogative; " ſo he preſumes that ye will all confeſs it a point of extra- " ordinary grace and juſtice in him, to ſuffer it to reſt ſo long " in diſpute without interruption: but now his majeſty con- " ſidering the length of time which it hath taken, and fearing " nothing ſo much as any future loſs of that, whereof every " hour and minute is ſo precious; and foreſeeing that the or- " dinary way of debate, though never ſo carefully huſband- " ed, in regard of the form of both houſes, neceſſarily takes " more time than the affairs of Chriſtendom can permit; " his majeſty out of great princely care, hath thought of this " expedient to ſhorten the buſineſs, by declaring the clearneſs " of his own heart and intention: and therefore hath com- " manded me to let you know, " That he holdeth the ſtatute " of Magna Charta, and the other ſix ſtatutes inſiſted upon " for the ſubjects liberty, to be all in force, and aſſures you, " that he will maintain all his ſubjects in the juſt freedom of " their perſons, and ſafety of their eſtates; and that he will " govern according to the laws and ſtatutes of this realm; and

Charles I. 1628.

" that ye ſhall find as much ſecurity in his majeſty's royal " word and promiſe, as in the ſtrength of any law ye can " make; ſo that hereafter ye ſhall never have cauſe to com- " plain." The concluſion is, that his majeſty prayeth God, " who hath hitherto bleſſed this kingdom, and put into his " heart to come to you this day, to make the ſucceſs thereof " happy both to king and people: and therefore he deſires " that no doubt or diſtruſt may poſſeſs any man, but that ye " will all proceed unanimouſly to the buſineſs."

The king's meſſage to the commons. May 1. Rushworth, t. i. p. 552. Annals.

The commons avoided this ſnare, as the former, and firmly adhered to the petition of right. A few days after ſecretary Coke brings them a freſh meſſage from the king, to know whether the houſe will reſt on his royal word, declared to them by the lord-keeper, which if they do, he aſſures them, it ſhall be royally performed.

This meſſage occaſioned great debates[u], becauſe Coke and the reſt of the court-party uſed their utmoſt endeavours, to perſwade the houſe to what the king propoſed, that is, to lay aſide the petition of right, and reſt upon his majeſty's promiſe. Sir Thomas Wentworth concluded the debate, ſaying, " That never houſe of parliament truſted more in the " goodneſs of their king, for their own private, than the " preſent, but we are ambitious that his majeſty's goodneſs " may remain to poſterity, and we are accountable to a pub- " lic truſt: and therefore ſeeing there hath been a public vio- " lation of the laws by his miniſters, nothing will ſatisfy " him but a public amends; and our deſires to vindicate the " ſubjects right by bill, are no more than are laid down in " former laws with ſome modeſt proviſion for inſtruction, " performance and execution." This ſo well agreed with the ſenſe of the houſe, that they made it the ſubject of a meſſage to be delivered by the ſpeaker, to his majeſty.

Another meſſage from the king. Rushworth, t. i. p. 554. Annals.

Amidſt thoſe deliberations, another meſſage was delivered from his majeſty by ſecretary Coke, to this effect: " That " howſoever we proceed in this buſineſs we have in hand, " which his majeſty will not doubt, but to be according to " our conſtant profeſſion, and ſo as he may have cauſe to " give us thanks; yet his reſolution is, that both his royal " care, and hearty and tender affection towards all his lov- " ing ſubjects, ſhall appear to the whole kingdom, and all " the world, that he will govern us according to the laws " and cuſtoms of this realm; that he will maintain us in the

[u] During the debates ſome ſaid, that the king's word was to be taken in a parliamentary way. Whitelock, p. 10.

" liber-

" liberties of our perſons, and properties of our goods, ſo Charles I.
" as we may enjoy as much happineſs as our forefathers in 1628.
" their beſt times; and that he will rectify what hath been,
" or may be found amiſs amongſt us, ſo that hereafter there
" may be no juſt cauſe to complain. Wherein, as his majeſty
" will rank himſelf amongſt the beſt of kings, and ſhow he
" hath no intention to invade or impeach our lawful liber-
" ties, or right; ſo he will have us to match ourſelves with
" the beſt ſubjects, not by incroaching upon that ſovereignty
" or prerogative, which God hath put into his hands for our
" good, but by containing ourſelves within the bounds and
" laws of our forefathers, without reſtraining them, or en-
" larging them by new explanations, interpretations, expo-
" ſitions, or additions in any ſort, which, he telleth us, he
" will not give way unto.

" That the weight of the affairs of the kingdom and Chriſ-
" tendom do preſs him more and more, and that the time is
" now grown to that point of maturity, that it cannot en-
" dure long debate or delay; ſo as this ſeſſion of parliament
" muſt continue no longer than Tueſday come ſevennight
" at the furtheſt: In which time his majeſty, for his part,
" will be ready to perform what he promiſed; and if the houſe
" be not as ready to do that is fit for themſelves, it ſhall be
" their own faults.

" And upon aſſurance of our good diſpatch and correſpon-
" dence, his majeſty declareth, that his royal intention is to
" have another ſeſſion of parliament at Michaelmas next, for
" the perfecting of ſuch things as cannot now be done."

All this was not able to divert the commons from their purpoſe of turning the petition of right into an act of parliament. The threat of putting an end to the ſeſſion frightened them not, the king having gone too far to recede. The only point was to know, whether he would grant by bill, what he was willing to grant any other way; and he could not break with the parliament on that account, without forfeiting entirely the love of his people, and loſing the five ſubſidies. So the commons would not miſs this opportunity of firmly eſtabliſhing the rights of the ſubjects. Here follows what the ſpeaker ſaid to the king, in the name of the commons, having firſt thanked him for his gracious aſſurance, that he would govern according to the laws, and told him, that the commons greateſt confidence was in his goodneſs.

The commons ſtand to their reſolution of preſenting the petition of right. Ruſhworth. t. i. p. 555.

" —— True it is, they cannot but remember the public
" truſt, for which they are accountable to preſent and future
" times; and their deſires are, that your majeſty's goodneſs

The ſpeaker's ſpeech to the king. Ibid.

 Annals.

Charles I. 1628. "might, in fruit and memory, be the bleſſing and joy of poſterity.

"They ſay alſo, that of late there hath been public violation of the laws, and the ſubjects liberties, by ſome of your majeſty's miniſters, and thence conceive, that no leſs than a public remedy will raiſe the dejected hearts of your loving ſubjects, to a chearful ſupply of your majeſty, or make them receive content in the proceedings of this houſe.

"From thoſe conſiderations, they moſt humbly beg your majeſty's leave, to lay hold of that gracious offer of yours, which gave them aſſurance, that if they thought fit to ſecure themſelves in their rights and liberties, by way of bill, or otherwiſe, ſo it might be provided with due reſpect to God's honour, and the public good, you would be graciouſly pleaſed to give way unto it. Far from their intentions it is, any way to incroach upon your ſovereignty or prerogative; nor have they the leaſt thought of ſtretching or enlarging the former laws in any ſort, by any new interpretations or additions; the bounds of their deſires extend no farther, than to ſome neceſſary explanation of that which is truly comprehended within the juſt ſenſe and meaning of thoſe laws, with ſome moderate proviſion for execution and performance, as in times paſt upon like occaſion hath been uſed.

"The way how to accompliſh theſe their humble deſires, is now in ſerious conſideration with them, wherein they humbly aſſure your majeſty, they will neither loſe time, nor ſeek any thing of your majeſty, but that they hope may be fit for dutiful and loyal ſubjects to aſk, and for a gracious and juſt king to grant."

His majeſty's anſwer was delivered by the lord-keeper, as follows:

"Mr. ſpeaker, and you gentlemen of the houſe of commons,

Rushworth, Annals. "HIS majeſty hath commanded me to tell you, that he expected an anſwer by your actions, and not delay by your diſcourſe: ye acknowledge this truſt and confidence in your proceedings, but his majeſty ſees not how you requite him by your confidence of his word and actions: for what need explanations, if ye doubted not the performance of the true meaning? For explanations will hazard an incroachment upon his prerogative. And it may well be ſaid, what need a new law to confirm an old,

if

"if you repoſe confidence in the declaration his majeſty made by me to both houſes? And yourſelves acknowledge, "that your greateſt truſt and confidence muſt be in his majeſty's grace and goodneſs, without which nothing ye can frame will be of ſafety, or avail to you: yet, to ſhow clearly the ſincerity of his majeſty's intentions, he is content "that a bill be drawn for a confirmation of Magna Charta, "and the other ſix ſtatutes, inſiſted upon for the ſubjects "liberties, if ye ſhall chuſe that as the beſt way, but ſo "as it may be without additions, paraphraſes, or explanations. Charles I. 1628.

"Thus if you pleaſe you may be ſecured from your needleſs fears, and this parliament may have a happy wiſhed for "end: whereas by the contrary, if you ſeek to tie your king "by new, and indeed impoſſible, bonds, you muſt be accountable to God and the country for the ill ſucceſs of this "meeting. His majeſty hath given his royal word, that ye "ſhall have no cauſe to complain hereafter; leſs than which "hath been enough to reconcile great princes, and therefore ought much more to prevail between a king and his "ſubjects.

"Laſtly, I am commanded to tell you, that his majeſty's "pleaſure is, that without further replies or meſſages, or other "unneceſſary delays, ye do what ye mean to do ſpeedily, "remembring the laſt meſſage that ſecretary Coke brought "you in point of time; his majeſty always intending to perform his promiſe to his power."

To this anſwer the king preſently after adds the following meſſage, brought by ſecretary Coke, to preſs the houſe to rely on the king's word, notwithſtanding the intimation of his good pleaſure for a bill. "That he had rather follow others, "than begin to enter into this buſineſs; loſs of time hath been "the greateſt complaint; the matter fallen now into conſideration, is what way to take, whether to rely on his majeſty's word, or on a bill: If we will conſider the advantage we have in taking his majeſty's word, it will be of the "largeſt extent, and we ſhall chuſe that that hath moſt aſſurance; an act of parliament is by the conſent of the king "and parliament; but this aſſurance by word, is, that he "will govern us by the laws: the king promiſes that, and "alſo, that they ſhall be ſo executed, that we ſhall enjoy as "much freedom as ever: this contains many laws, and a "grant of all good laws; nay, it contains a confirmation of "thoſe very laws, aſſurance, which binds the king further "than the law can: firſt it binds his affection, which is the "greateſt

A meſſage from the king, May 6. Rushworth, i. p. 557.

Charles I. 1626. "greateſt bond between king and ſubject, and that binds his "judgment alſo, nay, his honour, and that not at home "but abroad; the royal word of a king, is the ground of all "treaty; nay, it binds his conſcience: this confirmation be-"tween both houſes, is in nature of a vow; for my part, I "think it is the greateſt advantage to rely on his majeſty's "word. He further added, this debate was fitter to be done "before the houſe, and not before the committee, and that "it was a new courſe to go to a committee of the whole "houſe [w].

Remark on the king's anſwer.

This anſwer and meſſage clearly ſhow, how much the king dreaded the petition of right, which was preparing for him. He juſtly ſuppoſed, it would contain not only the ſubſtance of Magna Charta and the ſix ſtatutes, but alſo explanations which would prevent all cavils concerning the true meaning of theſe laws, which was what he would have avoided to approve, for fear of tying up his hands. The great charter and the ſix ſtatutes had long been in force; but that had not prevented his exacting money from his ſubjects by way of loan, and impriſoning ſuch as refuſed to comply. He was ſo far from owning, he had acted contrary to the laws, that he had cauſed his proceedings to be approved by the judges of the realm. In offering therefore to confirm Magna Charta by a bill, he left things in their preſent ſtate, and the people would have reaped no benefit from the new bill. This is what the lord-keeper could not forbear intimating, when he ſaid, he did not ſee any occaſion for a new law to confirm an old. By that he would have inſinuated, that the old law was not infringed, and therefore the king was very willing to confirm it, provided there were no additions, explanations, and interpretations. But nothing was more apt to ſhow the commons the neceſſity of theſe explanations, than the king's endeavours to avoid them. His extreme deſire, that his word ſhould be relied on, was a very ſtrong reaſon to ſecure the liberties of the ſubject, by ſomething more binding. It is true indeed, the words of princes are capable of reconciling them, to each other, when at variance; but this ſuppoſes a mutual confidence, without which the bare word cannot beget a perfect reconciliation. Now the point was to know, whether the king's word might be ſafely taken, which the commons did not believe, though they durſt not openly declare it. Beſides, their having been told, that the king's promiſe to govern according

[w] Rapin has confounded this anſwer and meſſage, as if delivered at the ſame time by the lord-keeper. See Ruſhw. tom. i. p. 557.

to

to law, was a greater ſecurity than the laws themſelves, was a plain indication, that the king did not think it impracticable to evade the law. Hence therefore they drew a freſh argument for binding the king by a more expreſs and poſitive law than thoſe hitherto enacted. Charles I. 1628.

We may further obſerve, that 'tis very ſurpriſing, the ſecretary, in the concluſion of the meſſage, ſhould teach the commons how this matter ought to be debated in the houſe, inſinuating that to go to a committee of the whole houſe was a new courſe. For the better underſtanding the deſign of this inſinuation, the reader muſt know, that before the houſe a member cannot ſpeak but once upon the ſame point, and having aſſerted his opinion, is not allowed to anſwer or reply. But when the houſe is turned into a committee, there is greater freedom. Every one may argue, anſwer, reply, as he thinks fit. By this means the points in debate are fully cleared, ſo that 'tis eaſy for each to form his opinion upon the arguments, anſwers, and replies he has heard. It ſeems therefore, by what the ſecretary inſinuated to the commons, the king feared all explanations that might ariſe from this way of debating. But they did not think proper to receive his inſtructions, or alter their uſual method *. The houſe therefore was turned into a committee to take into conſideration, all that could be ſaid for or againſt what the king deſired. The general ſenſe of the houſe was expreſſed as follows, by one of the members, with whom the majority agreed.

"Was it ever known (ſaid he) that general words were a ſufficient ſatisfaction to particular grievances? Was ever a verbal declaration of the king, Verbum Regni? When grievances be, the parliament is to redreſs them. Did ever parliament rely on meſſages? They put up petitions of their grievances, and the king never anſwered them: the king's anſwer is very gracious; but what is the law of the realm? that is the queſtion. I put no diffidence in his majeſty; the king muſt ſpeak by a record, and in particulars, and not in general. Did you ever know the king's meſſage come into a bill of ſubſidies? All ſucceeding kings will ſay, ye muſt truſt me as well as ye did my predeceſſors, and truſt my meſſages; but meſſages of love never came into parliament. Let us put up a petition of right;

Sir Edward Coke's ſpeech. Ruſhworth, t. i. p. 558. Annals, p. 287.

* Sir John Elliot replied to the king's meſſage, that the proceeding in a committee, is more honourable and advantagious to the king and the houſe, for that way leads moſt to truth, and it is a more open way, and where every man may add his reaſon, and make anſwer upon the hearing of other men's reaſons and arguments. Ruſhworth, tom. i. p. 557.

"not

Charles I. 1628. "not that I diſtruſt the king, but that I cannot take his truſt, "but in a parliamentary way."

The commons fix the time of the payments of the ſubſidies before the bill paſſed. Ruſhworth, t. i. p. 558. Annals, p. 287.

As the commons had reſolved, that ſupply and grievances ſhould go hand in hand, the petition of right was no ſooner ready, but they made a farther progreſs in the affair of the ſubſidies, ordering that the two firſt ſhould be paid the 10th of July, one more the 12th of October, another the 20th of December, and the laſt the 1ſt of March. This was done to take from the king all pretence of complaining, that the affair of ſupply was neglected; but this did not ſatisfy him. He wiſhed the ſubſidy-bill to be drawn and paſſed, before the petition of right was preſented to him, which the commons were fully reſolved not to do, being perſuaded that as ſoon as the ſubſidy-bill ſhould be paſſed, the parliament would be prorogued or diſſolved. So that ſame day, they ſent the petition of right to the lords for their concurrence *. But, before it was obtained, the commons ſaw themſelves obliged to ſuſtain two freſh attacks, one from the king, the other from the houſe of lords, where the court-party was very ſtrong.

May 12. Ruſhworth, t. i. p. 559. Annals.

The lords being employed in examining the petition of right, deſired a conference with the commons, where the lord keeper ſaid, he had propoſed to the houſe ſome alterations in the petition, to render it leſs harſh, and more agreeable to his majeſty, to the end, what was deſired might be the more readily obtained: that whilſt the lords were debating upon the commitments, they received a letter from his majeſty, which they deſired to communicate to the commons; and it was read to them accordingly.

To the right truſty and right well beloved, the lords ſpiritual and temporal, of the higher houſe of parliament.

"Carolus Rex,

The king's letter to the lords, communicated to the commons. Ruſhworth, t. i. p. 560. Annals.

"WE being deſirous of nothing more than the advancement of the peace and proſperity of our people, have "given leave to free debate upon the higheſt points of our "prerogative royal, which in the time of our predeceſſors, "kings and queens of this realm, were ever reſtrained as "matters that they would not have diſcuſſed; and in other

* It was carried up by Sir Edward Coke, Sir Dudley Diggs, and Mr. Littleton. Six weeks were ſpent in hearing the king's council againſt the petition, and the commons defence of it. The managers for the petition were, Sir Edward Coke, Mr. Selden, Sir Dudley Diggs, ſerjeant Glanvile, Sir Henry Martin, and Mr. Maſon. Coke, p. 207. Edit. 1697.

"things

" things we have been willing ſo far to deſcend to the de- Charles I.
" ſires of our good ſubjects, as might fully ſatisfy all mode- 1628.
" rate minds, and free them from all juſt fears and jealouſies,
" which thoſe meſſages we have hitherto ſent into the com-
" mons houſe, will well demonſtrate unto the world; yet
" we find it ſtill inſiſted upon, that in no caſe whatſoever,
" ſhould it never ſo nearly concern matters of ſtate govern-
" ment, we, or our privy-council, have no power to commit
" any man without the cauſe ſhewed; whereas it often hap-
" pens, that ſhould the cauſe be ſhewed, the ſervice itſelf would
" thereby be deſtroyed and defeated, and the cauſe alledged
" muſt be ſuch as may be determined by our judges of our
" courts of Weſtminſter, in a legal and ordinary way of juſ-
" tice; whereas the cauſes may be ſuch, as thoſe judges have
" not capacity of judicature, nor rules of law to direct and
" guide their judgment in caſes of that tranſcendent nature;
" which happening ſo often, the very incroaching on that
" conſtant rule of government, for ſo many ages within this
" kingdom practiſed, would ſoon diſſolve the very founda-
" tion and frame of our monarchy. Wherefore as to our
" commons, we made fair propoſitions, which might equally
" preſerve the juſt liberty of the ſubject: ſo, my lords, we
" have thought good to let you know, that without the over-
" throw of ſovereignty, we cannot ſuffer this power to be
" impeached; notwithſtanding, to clear our conſcience and
" juſt intentions, this we publiſh, that it is not in our heart,
" nor will we ever extend our royal power, lent unto us from
" God, beyond the juſt rule of moderation, in any thing
" which ſhall be contrary to our laws and cuſtoms, wherein
" the ſafety of our people ſhall be our only aim. And we
" do hereby declare our royal pleaſure and reſolution to be,
" which, God willing, we ſhall ever conſtantly continue and
" maintain, that neither we nor our privy-council ſhall, or
" will, at any time hereafter, commit, or command to pri-
" ſon, or otherwiſe reſtrain the perſon of any, for not lending
" money to us, nor for any juſt cauſe, which in our con-
" ſcience doth not concern the public good and ſafety of us
" and our people; we will not be drawn to pretend any cauſe
" wherein our judgment and conſcience is not ſatisfied with;
" baſe thoughts, we hope, no man can imagine will fall into
" our royal breaſt; and that in all caſes of this nature, which
" ſhall hereafter happen, we ſhall, upon the humble petition
" of the party, or addreſs of our judges unto us, readily and
" really expreſs the true cauſe of their commitment or re-
" ſtraint, ſo ſoon as with conveniency and ſafety the ſame is

" fit

Charles I. 1628. "fit to be diſcloſed and expreſſed; and that in all cauſes criminal, of ordinary juriſdiction, our judges ſhall proceed to the deliverance or bailment of the priſoner, according to the known and ordinary rules of the laws of this land, and according to the ſtatutes of Magna Charta, and thoſe other ſix ſtatues inſiſted upon, which we do take knowledge, ſtand in full force, and which we intend not to abrogate and weaken againſt the true intention thereof. This we have thought fit to ſignify, the rather to ſhorten any long debate upon this great queſtion, the ſeaſon of the year being ſo far advanced, and our great occaſions of ſtate, not lending any more days for longer continuance of this ſeſſion of parliament."

Given under our ſignet, at our palace at Weſtminſter, 20 Maii, the fourth year of our reign.

The commons remain unſhaken. Ruſhworth, t. i. p. 561, &c.

The commons took no notice of this letter, or rather, diſſembled their vexation at the king's artifices, who by obſcure and doubtful expreſſions, and by ſundry reſtrictions, was preparing means to evade his promiſes, at the very time he would have them to be received as ſolemn, authentic, and ſatisfactory. This may be plainly ſeen, if the terms of the letter be carefully conſidered, as well as the king's intent in writing it: which was to evade the petition of right, and be left at liberty to uſe his prerogative as he had hitherto done.

The lords propound the adding a clauſe to the petition of right. May 17.

The ſecond attack the commons had to ſuſtain, came from the lords. They moved, at a conference, the adding to the petition of right, a clauſe which would have rendered it uſeleſs, at leaſt, according to the court's intention, by whom, very probably, the houſe of lords was directed. The additional clauſe was as follows:

The clauſe. Ruſhworth, t. i. p. 561. Annals, p. 289, &c.

"We preſent this our humble petition to your majeſty, "with the care not only of preſerving our own liberties, but "with due regard to leave entire that ſovereign power where- "with your majeſty is truſted for the protection, ſafety, and "happineſs of the people."

Ruſhworth, t. i. p. 566—576. Annals, p. 289, &c.

This addition was examined and debated with great exactneſs in the houſe of commons [z]; and the general opinion was, that it ought to be rejected, chiefly for three reaſons. The firſt, becauſe of the ambiguity of the words Sovereign Power, which the parliaments had never uſed in ſpeaking of the king's prerogatives. The ſecond, becauſe this addition was in the

[z] By Mr. Alford, Mr. Pimm, Mr. Hackwell, Sir Edward Coke, Sir Thomas Wentworth, Mr. Noy, Mr. Selden, Mr. Maſon, Mr. Glanvile, and Sir Henry Martin. See Ruſhworth, tom. i. p. 562.

natu re

nature of a saving of the king's sovereignty, which rendered the petition of no force. It was alledged, that in the reign of Edward I. the parliament having presented the like petition to the king, he would have added these words, "saving the "king's right and sovereignty;" but the parliament would not consent to it, because such savings render useless whatever they are annexed to. It was said likewise, that for the same reason the kings would never suffer the clergy to insert in any of their acts, "saving the honour of God and the church." The third reason was, that if this addition was general, and had no reference to the petition, there was no need of admitting it. But if, on the contrary, it did refer to the petition, it evidently rendered the petition of no effect. Charles I. 1628.

The clause being thus rejected by the commons, the lords durst not throw out the petition [a], on account of that addition, which, in truth, was not absolutely necessary. So, being satisfied with giving the king this testimony of their affection for his service, they insisted no longer upon the additional clause. Then the two houses resolved to present the petition to the king, and to pray his majesty to give his answer in full parliament, that it might be enrolled and serve hereafter for rule to the courts of justice, as an act of parliament. The 2d of June the king came to the parliament to give the royal assent to the petition of right, and spoke thus to both houses. Rushworth, t. i. p. 585. p. 588.

Gentlemen,

"I Am come hither to perform my duty. I think no man "can think it long, since I have not taken so many days "in answering the petition, as ye spent weeks in framing it: "and I am come hither to show you, that as well in formal "things as in essential, I desire to give you as much content "as in me lies." The king's speech before the reading of the petition.

The lord-keeper added something farther; but, as there is nothing material in his speech, I do not think it necessary to insert it. After he had done speaking, the petition was read aloud, being expressed in these words [b]:

[a] In a committee of the whole house, the lord Say moved, that those lords who stood for the liberties of the nation, might make their protestation, to remain upon record; and that the opposite party should, with their names, enter their reasons, to remain upon record; that posterity might not be to seek, who they were that so ignobly betrayed the freedom of our nation. This struck such a damp upon the other party, that not one of them opposed it. Coke, p. 232.

[b] This petition was drawn up by Sir Edward Coke. Coke, p. 497. Edit. 1697.

To

Charles I. 1628.

To the king's moſt excellent majeſty,

Act. Pub. xviii. p. 1010 Rushworth, t. i. p. 588. Annals, p. 303.

"HUmbly ſhew unto our ſovereign lord the king, the lords ſpiritual and temporal, and commons in parliament aſſembled, that, whereas it is declared and enacted by a ſtatute, made in the time of the raigne of king Edward the firſt, commonly called Statutum de Tallagio non concedendo, that no tallage or aide ſhould be laid or levied, by the king or his heirs, in this realm, without the goodwill and aſſent of the archbiſhopps, biſhopps, earles, barons, knights, burgeſſes, and other the freemen of the cominalty of this realme: and by authority of parliament houlden in the five and twentieth yere of the raigne of king Edward the third, it is declared and enacted, that from thenceforth noe perſon ſhall be compelled to make any loanes to the king againſt his will, becauſe ſuch loanes were againſt reaſon, and the franchiſe of the land; and by other lawes of this realme it is provided, that none ſhall be charged by any charge or impoſition, called a benevolence, nor by ſuch like charge, by which the ſtatuts before-mentioned, and other good laws and ſtatuts of this realme, your ſubjects have inherited this freedom, that they ſhould not be compelled to contribute to any tax, tallage, aide, or other like charge, not ſett by common conſent in parliament.

"Yet nevertheleſs of late divers commiſſions, directed to ſundrie commiſſioners in ſeveral counties, with inſtructions, have been iſſued, by means whereof your people have bene in divers places aſſembled, and required to lend certain ſummes of money unto your majeſtie, and many of them upon their refuſal ſoe to doe, have had an oath adminiſtred unto them, not warrantable by the lawes or ſtatuts of this realme, and have been conſtrained to become bound to make appearance, and give attendance before your privie-councell, and in other places, and others of them have bene therefore impriſoned, confined, and ſundrie other wayes moleſted and diſquieted: and divers other charges have been laide and leavied upon your people in ſeverall counties, by lord-lieutenants, deputie-lieutenants, commiſſioners for muſters, juſtices of peace, and others, by commaunde or direction from your majeſtie, or your privie-councell, againſt the lawes and free cuſtomes of the realme.

9 Hen. 3. 29. "And where alſoe by the ſtatute called, The greate Charter of the Liberties of England, it is declared and enacted, that no freeman may be taken or impriſoned, or be diſ-

"ſeized

" ſeized of his freehold or liberties, or is free cuſtomes, or Charles I.
" be outlawed or exiled, or in any manner deſtroyed, but 1628.
" by the lawfull judgment of his peeres, or by the lawe of ———
" the land.

" And in the eight and twentieth yere of the reigne of 28 Edw. 3.
" king Edward the Third, it was declared and enacted by 3.
" authoritie of parliament, that no man of what eſtate or
" condition that he be, ſhould be put out of his lands or te-
" nements, nor taken, nor impriſoned, nor diſherited, nor
" putt to death, without being brought to anſwer by due pro-
" ceſs of law.

" Nevertheleſs againſt the tenor of the ſaid ſtatuts, and 37 Edw. 3.
" other the good lawes and ſtatuts of your realme, to that 18.
" end provided, divers of your ſubjects have of late beene im- 38 Edw. 3.
" priſoned, without any juſt cauſe ſhewed; and when for 9.
" their deliverance they were brought before your juſtices, 42 Edw. 3.
" by your majeſty's writs of Habeas Corpus, there to undergo 3.
" and receive as the court ſhould order, and their keepers 17 Rich. 2.
" commaunded to certify the cauſes of their detayner; noe 6.
" cauſe was certified, but that they were detained by your
" majeſties ſpecial commaund, ſignified by the lords of your
" privie-council, and yett were retorned back to ſeveral pri-
" ſons without being charged with any thinge to which they
" might make anſweare according to the law.

" And whereas of late greate companies of ſouldiers and
" marriners have been diſperſed into divers counties of the
" realme, and the inhabitants againſt their wills have beene
" compelled to receive them into their houſes, and there to
" ſuffer them to ſojorne, againſt the lawes and cuſtomes
" of this realme, and to the great grievance and vexation of
" the people.

" And whereas alſoe by authority of parliament in the 25th 25 Edw. 3.
" yere of the raigne of king Edward III. it is declared and 9.
" enacted, that noe man ſhould be fore-judged of life or 9 Hen. 3.
" lymbe, againſt the forme of the great charter, and the law 29.
" of the land, and by the ſaid great charter, and other the 25 Edw. 3.
" lawes and ſtatuts of this your realme, no man ought to be 4.
" adjudged to death, but by the lawes eſtabliſhed in this your 28 Edw. 3.
" realme, either by the cuſtomes of the ſame realme, or by 3.
" acts of parliament: and whereas noe offender of what kind
" ſoever, is exempted from the proceedings to be uſed, and
" puniſhments to be inflicted by the lawes and ſtatuts of this
" your realme; nevertheleſs of late time, divers commiſſions un-
" der your majeſties great-ſeale have iſſued forth, by which cer-
" taine perſons have been aſſigned and appointed commiſſion-

Charles I. 1628.

" ers, with power and authoritie to proceede within the land,
" according to the juſtice of martiall lawe againſt ſuch ſoul-
" diers and marriners, or other diſſolute perſons joyninge
" with them, as ſhould commit any murder, robbery, felo-
" nie, mutiny, or other outrage or miſdemeanor whatſoever;
" and by ſuch ſummarie courſe and order as is agreeable to
" martiall lawe, and as is uſed in armies in tyme of war, to
" proceed to the tryal and condemnation of ſuch offenders,
" and them to cauſe to be executed and putt to death ac-
" cording to the lawe-martiall.

" By pretext whereof, ſome of your majeſties ſubjects have
" bene by ſome of the ſaid commiſſioners put to death, when
" and where, if by the lawes and ſtatuts of the land they
" had deſerved death, by the ſame lawes and ſtatuts alſoe
" they might, and by noe other ought, to have been judged
" and executed.

" And alſo ſundrie grievous offendors by colour thereof,
" clayming an exemption, have eſcaped the puniſhments due
" to them by the lawes and ſtatuts of this your realme, by
" reaſon that divers of your officers and miniſters of juſtice
" have unjuſtly refuſed, or forborne to proceed againſt ſuch
" offenders according to the ſame lawes and ſtatuts, upon
" pretence that the ſaid offenders were puniſhable only by
" martiall lawe, and by authority of ſuch commiſſions as
" aforeſaid; which commiſſions, and all others of like na-
" ture, are wholly and directlie contrary to the ſaid lawes and
" ſtatuts of this your realm.

The petition.

" They doe therefore humbly pray your moſt excellent
" majeſtie, that no man hereafter be compelled to make or
" yeilde any guifte, loane, benevolence, tax, or ſuch like
" charge, without common conſent by act of parliament;
" and that none be called to make anſweare, or take ſuch
" oath, or to give attendance, or be confyned, or otherwiſe
" moleſted or diſquieted concerning the ſame, or for refuſall
" thereof: and that no freeman, in any ſuch manner as is be-
" fore mentioned, be impriſoned or detayned: and that your
" majeſtie would be pleaſed to remove the ſaid ſouldiers and
" marriners, and that your people may not be ſo burthened
" in the tyme to come: and that the aforeſaid commiſſions
" for proceedinge by martiall lawe, may be revoaked and
" annulled; and that hereafter, noe commiſſions of like na-
" ture may iſſue forth to any perſon or perſons whatſoever,
" to be executed as aforeſaid, leaſt by colour of them, any
" of your majeſties ſubjects be deſtroyed or put to death, con-
" trary to the lawes and franchiſe of the land.

"All which they moſt humbly pray of your moſt excel- Charles I.
"lent majeſtie, as their rights and liberties, according to the 1628.
"lawes and ſtatuts of this realme: and that your majeſtie
"would alſoe vouchſafe to declare, that the awardes, doe-
"ings, and proceedings to the prejudice of your people in
"any of the premiſſes, ſhall not be drawne hereafter into
"conſequence or example; and that your majeſty would be
"alſo graciouſly pleaſed, for the further comfort and ſafetie
"of your people, to declare your royal will and pleaſure,
"that in the things aforeſaid, all your officers and miniſters
"ſhall ſerve you, according to the lawes and ſtatuts of this
"realme, as they tender the honour of your majeſtie and the
"proſperity of this kingdom."

The king, as hath been ſeen, had uſed all poſſible endeavours to hinder this petition from being preſented, and to ſatisfy the commons with general promiſes, which properly bound him to nothing, and did not deſtroy his ſyſtem of government: ſo, though he feigned to come to the parliament on purpoſe to paſs the petition of right, and give a ſatisfactory anſwer, he purſued however his plan, and ſhowed by his anſwer how much he dreaded to promiſe. Here follows his anſwer, wherein may be eaſily perceived the ſame general promiſes, and the ſame reſtrictions as in what he had offered already.

The king's anſwer to the Petition of Rights.

"THE king willeth, that right be done according to the The king's anſwer.
"laws and cuſtoms of the realm; and that the ſtatutes Rushworth, tom. i.
"be put in due execution, that his ſubjects may have no p. 590.
"cauſe to complain of any wrong or oppreſſions, contrary to
"their juſt rights and liberties, to the preſervation whereof
"he holds himſelf in conſcience as well obliged, as of his
"prerogative."

It would be needleſs to make any remarks on this anſwer, Remarks on this anſwer.
ſince the king's attention appears ſo very plainly: it ſuffices only to obſerve, the king had endeavoured to content the parliament with general promiſes, and the commons not thinking that ſufficient, had inſiſted upon the petition of right, where ſeveral particular caſes were ſpecified. Now the king, inſtead of giving the parliament the ſatisfaction they deſired, kept in his anſwer to his general promiſes, without touching upon any of the particular caſes ſpecified in the petition.

Charles I. 1628.

The commons not being ſatisfied with the king's anſwer, made no haſte to finiſh the affair of ſupply: on the contrary, they deſired a conference with the lords, where the point of commitments was thoroughly diſcuſſed[c]. The point in queſtion was, the power aſſumed by the king to impriſon the ſubjects without declaring the cauſe, which the king had not leſſened by his anſwer, though it was one of the chief motives of the petition of right: wherefore the commons, willing to ſhow the king their diſſatisfaction, inſtead of proceeding with the ſubſidy bill, returned to the conſideration of grievances. On this occaſion, and at the inſtance of the commons, the lords paſſed upon Dr. Manwaring the ſentence I have mentioned in another place.

The commons are not ſatisfied with it. Annals, p. 304, etc. They reſume the grievances. Ruſhworth, tom. i. p. 591. Annals. Sentence upon Manwaring. Ruſhworth, tom. i. p. 593.

The king ſeeing the commons otherways employed than in the buſineſs of ſubſidies, ſent them the following meſſage by their own ſpeaker.

A meſſage from the king to the commons, wherein he notifies his deſign of ending that ſeſſion. Ibid.

"That his majeſty having, upon the petition exhibited "by both houſes, given an anſwer full of juſtice and grace, "for which we and our poſterity have juſt cauſe to bleſs "his majeſty, it is now time to grow to a concluſion of the "ſeſſion; and therefore his majeſty thinks fit to let you know, "that as he doth reſolve to abide by that anſwer, without "further change or alteration, ſo he will royally and really "perform unto you what he hath thereby promiſed: and "further, that he reſolves to end this ſeſſion upon Wedneſ"day the 11th of this month; and therefore wiſheth that "the houſe will ſeriouſly attend thoſe buſineſſes which may "beſt bring the ſeſſion to a happy concluſion, without "entertaining new matters, and ſo huſband the time, that his "majeſty may with the more comfort bring us ſpeedily to"gether again: at which time, if there be any further "grievances not contained or expreſſed in the petition, they "may be more maturely conſidered, than the time will now "permit."

[c] The king's anſwer being read in the houſe of commons, and ſeeming too [illegible] ſir John Elliot roſe up, and in a long ſpeech ſet forth a full and lively repreſentation of all grievances, which done, ſir Edward Coke moved, that an humble remonſtrance be preſented to his majeſty, touching the dangers and means of ſafety of king and kingdom. Whereupon they turned themſelves into a grand committee, and the committee for the bill of ſubſidies was ordered to expedite the ſaid remonſtrance. Mean while comes the meſſage from the king by the ſpeaker, and after reading the meſſage, the houſe proceeded with a declaration againſt Manwaring, which was the ſame day preſented to the lords, at a conference managed by Mr. Pym, betwixt the committees of both houſes. After Manwaring's ſentence, the king ſent another meſſage of the ſame import by the ſpeaker. Ruſhworth, tom. i. p. 591, 605.

This

This meſſage made the commons believe [d] the duke of Buckingham had done them ill offices with the king. This was mentioned in the houſe, and ſir John Elliot ſtanding up, and beginning to ſpeak in ſuch manner that it was thought he was going to attack the favourite and miniſtry, the ſpeaker ſtarted from the chair and ſaid, "There is a command laid "upon me, that I muſt command you not to proceed." Whereupon Elliot ſat down. But others more bold, propoſed to go and ſhow their dangers to the lords, and then carry their complaints together to the king. Some of the court-party ſaying that the ſpeech lately ſpoken by ſir John Elliot [e] had given offence to his majeſty, the houſe declared, "That "every member is free from any undutiful ſpeech, from the "beginning of the parliament to that day; and ordered, "that the houſe be turned into a committee, to conſider "what is fit to be done for the ſafety of the kingdom; and "that no man go out upon pain of going to the Tower." But the ſpeaker deſiring leave to go out, obtained it, and immediately informed the king of what was paſſing in the houſe. In his abſence it was debated, and going to be voted by a majority, to make a remonſtrance to the king, wherein it ſhould be ſaid that the duke of Buckingham was the chief cauſe of all the miſeries of the kingdom. But before the debate was ended, the ſpeaker returned with a meſſage from the king, commanding the houſe to adjourn till next day, and all committees to ceaſe in the mean time. The lords received the ſame order. On the morrow the ſpeaker brings the following meſſage from the king:

Charles I. 1628.

Buckingham is complained of in the houſe. The ſpeaker bids Elliot be ſilent. Ruſhworth, tom. i. p. 606.

The houſe complain of this violence Declaration of the houſe, p. 607.

The ſpeaker goes out.

Reſolve concerning a remonſtrance. p. 608.

The ſpeaker returns, with an order to adjourn till next day. June 6.

"Whereas his majeſty underſtanding, that ye did con-
"ceive his laſt meſſage to reſtrain you in your juſt privileges,
"to complain of any of his miniſters; theſe are to declare
"his intentions, that he had no meaning of barring you from
"what hath been your right, but only to avoid all ſcandals
"on his council and actions paſt, and that his miniſters
"might not be, nor himſelf, under their names, taxed for
"their counſel unto his majeſty, and that no ſuch particu-
"lars ſhould be taken in hand, as would aſk a longer time
"of conſideration than what he hath prefixed, and ſtill re-
"ſolves to hold, that ſo for this time all chriſtendom might

Another meſſage from the king to the commons, ſent by the ſpeaker. Ruſhworth, tom. i. p. 610. Annals.

[d] It was not this meſſage, but another, ſent June 5, wherein the king required the commons "not to enter "into, or proceed with any new buſineſs, which might ſpend greater "time, or lay any ſcandal or aſperſion "upon the ſtate, government or miniſters thereof." Idem. p. 605.

[e] The ſpeech (after the reading of the king's anſwer to the petition) concerning grievances, mentioned in the note above.

Charles I. 1628. "take notice of a ſweet parting between him and his people; "which if it fall out, his majeſty will not be long from an- "other meeting, when ſuch (if there be any) at their leiſure "and convenience may be conſidered."

Remarks on this meſſage.

It may have been hitherto obſerved, in king Charles's whole conduct, that he was ſo firm in his principles concerning government, that he could not reſolve to recede from any thing; or if he ſeemed to make any conceſſion, he immediately rendered it uſeleſs by ſome reſtriction. This may be ſeen in his anſwer to the petition of right, but ſtill more particularly in this laſt meſſage to the commons: he would not (as he ſaid) bar them from the privilege to complain of his miniſters, but would not have them caſt any blame on their counſels: that is, properly ſpeaking, he would not have them attacked; or, at moſt, would only ſuffer them to be proſecuted for private offences which they might be guilty of, like all the reſt of the ſubjects, but not for ſtate-affairs as miniſters and counſellors. The commons not being more ſatisfied with this meſſage than the former, the houſe was again turned into a committee, and conſidered of ſome more heads to be inſerted in the remonſtrance, particularly the king's deſign to bring into the nation foreign forces. This complaint was grounded upon a diſcovery the houſe had made of a privy-ſeal, expreſſed in theſe words [f]:

Rushworth, tom. i. p. 612.

"Charles, by the grace of God, etc.

"To the treaſurer and under-treaſurer for our exchequer for "the time being, greeting.

The king's order to bring foreign forces into the kingdom. Rushworth, tom. i. p. 612. Coke p. 242 Annals.

"WE do hereby will and command you, out of our treaſury, remaining in the receipt of our ſaid exchequer, "forthwith to pay, or cauſe to be paid, unto Philip Burlemack of London, merchant, the ſum of thirty thouſand "pounds, to be paid by him over by bill of exchange into "the Low Countries and Germany, unto our truſty and "well-beloved ſir William Balfour knight, and John Dolbier, eſq. or either of them, for levying and providing cer- "tain numbers of horſes, with arms for horſe and foot, to "be brought over into this kingdom for our ſervice, viz." etc.

[f] Burlemack was called into the houſe, and confeſſed he received thirty thouſand pounds by privy-ſeal for the buying of horſes; that one thouſand of them were levied; that thoſe horſes and their riders were to come over, and arms provided for them in Holland; but that he heard a countermand was gone to ſtay them. Rushworth, tom. i. p. 612.

At

At the same time the commons sent a message to the lords, to desire their concurrence in an humble petition to the king, that a clear and satisfactory answer be given by his majesty in full parliament to the petition of right; to which the lords consented. The king knew then it was not possible for him to avoid giving such an answer as the parliament desired, and therefore resolved at last to do it with a good grace, otherwise he saw plainly the affair of supply would be for ever delayed: so coming to the parliament the 7th of June, both houses presented the following petition to him: Charles I. 1628. Rushworth, Ibid. Rushworth, tom. i. p. 612. Annals.

"MAY it please your most excellent majesty, the lords spiritual and temporal, and commons, in parliament assembled, taking in consideration, that the good intelligence between your majesty and your people doth much depend upon your majesty's answer upon their petition of right formerly presented; with unanimous consent do now become most humble suitors unto your majesty, that you would be pleased to give a clear and satisfactory answer thereunto in full parliament." The petition of both houses.

To which the king replied: "The answer I have already given you, was made with so good deliberation, and approved by the judgments of so many wise men, that I could not have imagined but it should have given you full satisfaction: but to avoid all ambiguous interpretations, and to show you there is no doubleness in my meaning, I am willing to pleasure you as well in words as in substance; read your petition, and you shall have an answer that I am sure will please you."

Here the petition was read, and this answer was returned, "Soit droit fait comme il est desiré. C. R." [g] Satisfactory answer to the petition.

Then said his majesty, "This I am sure is full, yet no more than I granted you in my first answer, for the meaning of that was to confirm your liberties, knowing, according to your own protestations, that you neither mean nor can hurt my prerogative. And I assure you my maxim is, that the people's liberties strengthen the king's prerogative, and the king's prerogative is to defend the people's liberties. The king's speech on that occasion. Rushworth, tom. p. 613.

"You see how ready I have showed myself to satisfy your demands, so that I have done my part; wherefore if this parliament have not a happy conclusion, the sin is yours, I am free from it."

[g] This (says Whitlock) satisfied the commons and all good men, and is the same in the printed act, and so that excellent law passed, p. 10.

Charles I. 1628.

The commons being ſatisfied upon this point, began ſeriouſly to proceed with the bill of ſubſidies, but in ſuch a manner however, that they made the conſideration of grievances go hand in hand with it[h], knowing, as ſoon as the money-bill was paſſed, the king would put an end to the ſeſſion: they began therefore with examining a commiſſion, whereby the king had authorized and required a certain number of lords and gentlemen to conſider of the beſt and ſpeedieſt means for raiſing money upon the people by way of impoſition, or otherwiſe[i]. This commiſſion had been granted after the ſummons to the parliament, but before the meeting. Probably, the king fearing he ſhould be obliged to diſſolve this parliament for the ſame reaſons he had diſſolved the former, was willing to be ſecured beforehand of means to raiſe money in caſe the parliament refuſed to grant a ſupply. Be this as it will, the commons, after a conference with the lords, voted that the commiſſion ſhould be inſerted in the remonſtrance they were to preſent to the king.

The commons examine other grievances. Ruſhworth, tom. i. p. 613, 614. Annals, p. 328.

Then they entered upon the examination of Buckingham's conduct, an examination by no means favourable to the duke. He was charged with being the cauſe of all the evils to the kingdom, of the loſſes at ſea, of the decay of trade, of the diſaſters to the armies, and of countenancing Arminianiſm and popery. Upon this article it was obſerved, that the duke's mother was a papiſt, and had a great influence over her ſon, who had himſelf an abſolute ſway over the king; and that Dr. Montague, who was reckoned a zealous Arminian, made his court to him with great diligence. In ſhort, the houſe came to this reſolution, "that the exceſſive power of "the duke of Buckingham is the cauſe of the evils and dan- "gers to the king and kingdom, and that this be added to "the remonſtrance:" and a few days after voted, "that "Dr. Neile biſhop of Wincheſter, and Dr. Laud biſhop of "Bath and Wells, be named to be thoſe about the king, "who are ſuſpected to be Arminians." As this remonſtrance

Reſolves of the houſe againſt Buckingham, Laud, and Neile. Ruſhworth, tom. i. p. 616. p. 617. p. 618. Annals.

[h] The houſe ordered that the committees for religion, trade, grievances, and courts of juſtice, ſhould ſit no longer; and that only the grievances of moſt moment ſhould be taken into conſideration. Ruſhworth, tom. i. p. 613.

[i] The commons ſending for this commiſſion to the lord keeper, he returned anſwer, he received a warrant at the council table for the ſealing thereof; and when it was ſealed he carried it back to the council-table: however it was ſent and read. It was dated the laſt day of February, and directed to all the court lords and biſhops, and ſuch gentlemen as were thought well affected to the miniſtry. The reader may ſee it in Ruſhworth, tom. i. p. 614. — It was ſuppoſed that the ſending for foreign troops from Germany, as mentioned above, was in order to ſupport this commiſſion, in caſe of reſiſtance. See Ruſhworth, tom. i. p. 474.

clearly

clearly and distinctly discovers the occasions of the commons complaint against the government, I think it necessary to insert it.

Charles I. 1628.

"Most dread sovereign,

"AS with humble thankfulness we, your dutiful commons now assembled in parliament, do acknowledge the great comfort which we have in your majesty's pious and gracious disposition, so we think it a meet and most necessary duty, being called by your majesty, to consult and advise of the great and urgent affairs of this church and commonwealth, finding them at this time in apparent danger of ruin and destruction, faithfully and dutifully to inform your majesty thereof, and with bleeding hearts and bended knees, to crave your speedy redress therein, as to your own wisdom (unto which we most humbly submit ourselves and our desires) shall seem most meet and convenient. What the multitude and potency of your majesty's enemies are abroad; what be their malicious and ambitious ends; and how vigilant and constantly industrious they are in pursuing the same, is well known to your majesty; together with the dangers thereby threatened to your sacred person and your kingdoms, and the calamities which have already fallen and do daily increase upon your friends and allies, of which we are well assured your majesty is most sensible, and will accordingly, in your great wisdom, and with the gravest and most mature council, according to the exigency of the times and occasions, provide to prevent and help the same.

The commons remonstrance to the king. Rushworth, tom. i. p. 619. Annals, p. 330.

"To which end we most humbly intreat your majesty, "first, and especially, to cast your eyes upon the miserable condition of this your own kingdom, of late so strangely weakened and dejected, that unless, through your majesty's most "gracious wisdom, goodness, and justice, it be speedily raised to a better condition, it is in no little danger to become "a sudden prey to the enemies thereof; and of the most "happy and flourishing, to be the most miserable and contemptible nation in the world. In the discoveries of which "dangers, mischief, and inconveniences lying upon us, we "do freely protest that it is far from our thoughts to lay the "least aspersion upon your sacred person, or the least scandal "upon your government; for we do in all sincerity of our "hearts, not only for ourselves, but in the name of all the "commons of the realm (whom we represent) ascribe as "much duty, as a most loyal and affectionate people can do

"unto

Charles I. 1628.

" unto the beſt king (for ſo ye are, and ſo have been pleaſ-
" ed abundantly to expreſs yourſelf this preſent parliament,
" by your majeſty's clear and ſatisfactory anſwer to our peti-
" tion of right: for which both ourſelves and our poſterity
" ſhall bleſs God for you, and ever preſerve a thankful me-
" mory for your great goodneſs and juſtice therein): and we
" do verily believe, that all, or moſt of theſe things, which
" we ſhall now preſent unto your majeſty, are either unknown
" unto you, or elſe by ſome of your majeſty's miniſters of-
" fered under ſuch ſpecious pretences, as may hide their own
" ill intentions, and ill conſequences of them, from your
" majeſty: but we aſſure ourſelves, according to the good
" example of your majeſty's predeceſſors, nothing can make
" your majeſty (being a wiſe and judicious prince, and above
" all things deſirous of the welfare of your people) more in
" love with parliaments than this, which is one of the prin-
" cipal ends of calling them, that therein your majeſty may
" be truly informed of the ſtate of all the ſeveral parts of
" your kingdom, and how your officers and miniſters do
" behave themſelves in the truſt impoſed in them by your
" majeſty, which is ſcarce able to be made known unto
" you but in parliament, as was declared by your bleſſed fa-
" ther, when he was pleaſed to put the commons in parlia-
" ment aſſembled, in mind, That it would be the greateſt
" unfaithfulneſs and breach of duty to his majeſty, and of the
" truſt committed to them by the country that could be, if
" in ſetting forth the grievances of the people, and the con-
" dition of all the parts of this kingdom from whence they
" come, they did not deal clearly with him, without ſparing
" any, how near and dear ſoever they were unto him, if they
" were hurtful or dangerous to the commonwealth.

" In confidence therefore of your majeſty's gracious accep-
" tation in a matter of ſo high importance, and in faithful
" diſcharge of our duties, we do firſt of all moſt humbly be-
" ſeech your majeſty to take notice, that howſoever we know
" your majeſty doth with your ſoul abhor that any ſuch thing
" ſhould be imagined or attempted; yet there is a general
" fear conceived in your people, of ſecret working and com-
" bination, to introduce into their kingdom innovation and
" change of our holy religion, more precious unto us than
" our lives, and whatever this world can afford. And our
" fears and jealouſies herein are not merely conjectural, but
" ariſing out of ſuch certain and viſible effects as may de-
" monſtrate a true and real cauſe: for notwithſtanding the
" many good and wholeſome laws, and the provi[illegible]ade

" to

" to prevent the increaſe of popery within this kingdom; Charles I.
" and notwithſtanding your majeſty's moſt gracious and ſatiſ- 1628.
" factory anſwer to the petition of both houſes in that behalf,
" preſented to your majeſty at Oxford, we find there hath
" followed no good execution nor effect, but on the contrary,
" (at which your majeſty, out of the quick ſenſe of your own
" religious heart, cannot but be in the higheſt meaſure diſ-
" pleaſed) thoſe of that religion do find extraordinary favours
" and reſpect in court from perſons of great quality and
" power, whom they continually reſort unto, and in par-
" ticular to the counteſs of Buckingham, who herſelf openly
" profeſſing that religion, is a known favorer and ſupporter
" of them that do the ſame; which we well hoped, upon
" your majeſty's anſwer to the aforeſaid petition at Oxford,
" ſhould not have been permitted, nor that any of your ma-
" jeſty's ſubjects of that religion juſtly to be ſuſpected, ſhould
" be entertained in the ſervice of your majeſty, or your royal
" conſort the queen. Some likewiſe of that religion have
" had honours, offices, and places of command and autho-
" rity lately conferred upon them. But that which ſtriketh
" the greateſt terror into the hearts of your loyal ſubjects con-
" cerning this, is, that letters of ſtay of legal proceedings
" againſt them have been procured from your majeſty, (by
" what indirect means we know not:) and commiſſions under
" the great ſeal, granted and executed for compoſition to be
" made with popiſh recuſants, with inhibitions, and reſtraint,
" both to the eccleſiaſtical and temporal courts, and officers
" to intermeddle with them; which is conceived to amount
" to no leſs than a toleration, odious to God, full of diſho-
" nour, and extreme diſprofit to your majeſty, of extreme
" ſcandal and grief to your good people, and of apparent
" danger to the preſent ſtate of your majeſty, and of this
" kingdom; their numbers, power, and inſolency, daily in-
" creaſing in all parts of your kingdom, and eſpecially about
" London, and the ſuburbs thereof, where exceeding many
" families do make their abode publicly, frequent maſs at
" Denmark-houſe, and other places; and by their often
" meetings and conferences, have opportunities of combining
" their counſels and ſtrength together, and to the hazard of
" your majeſty's ſafety and the ſtate, and moſt eſpecially in
" theſe doubtful and calamitous times. And as our fear
" concerning change or ſubverſion of religion, is grounded
" upon the daily increaſe of papiſts, the open and profeſſed
" enemies thereof, for the reaſons formerly mentioned; ſo
" are the hearts of your good ſubjects no leſs perplexed, when

" with

Charles I. 1628. "with ſorrow they behold a daily growth and ſpreading of "the faction of the Arminians, that being, as your majeſty "well knows, but a cunning way to bring in popery, and "the profeſſors of thoſe opinions, the common diſturbers "of the proteſtant churches, and incendiaries in thoſe ſtates, "wherein they have gotten any head, being proteſtants in "ſhew, but jeſuits in opinion; which cauſed your royal father, "with ſo much pious wiſdom, and ardent zeal, to endea-"vour the ſuppreſſing of them, as well at home, as in the "neighbour countries. And your gracious majeſty, imi-"tating his moſt worthy example, hath openly, and by your "proclamation, declared your miſlike of thoſe perſons, and "of their opinions; who, notwithſtanding, are much fa-"voured and advanced, not wanting friends even of the "clergy, near to your majeſty; namely, Dr. Neile biſhop "of Wincheſter, and Dr. Laud biſhop of Bath and Wells, "who are juſtly ſuſpected to be unſound in their opinions "that way. And it being now generally held the way to "preferment and promotion in the church, many ſcholars "do bend the courſe of their ſtudies to maintain thoſe errors; "their books and opinions are ſuffered to be printed and "publiſhed; and on the other ſide, the imprinting of ſuch "as are written againſt them, and in defence of the orthodox "church, are hindered and prohibited; and (which is a "boldneſs almoſt incredible) this reſtraint of orthodox books, "is made under colour of your majeſty's formerly mentioned "proclamation, the intent and meaning whereof, we know, "was quite contrary. And farther, to increaſe our fears "concerning innovation of religion, we find, that there hath "been no ſmall labouring to remove that which is the moſt "powerful means to ſtrengthen and encreaſe our own reli-"gion, and to oppoſe both thoſe, which is the diligent "teaching and inſtruction of the people in the true know-"ledge and worſhip of Almighty God. And therefore means "hath been ſought out to depreſs and diſcountenance pious, "and painful, and orthodox preachers; and how conform-"able ſoever, and peaceable in their diſpoſition and carriage "they be, yet the preferment of ſuch is oppoſed, and in-"ſtead of being encouraged, they are moleſted with vex-"atious courſes and purſuits, and hardly permitted to lecture. "And in thoſe places where are no conſtant preaching mini-"ſters, whereby many of your good people (whoſe ſouls, in "this caſe, we beſeech your majeſty to commiſerate) are "kept in ignorance, and are apt to be eaſily ſeduced to error "and ſuperſtition. It doth not a little alſo increaſe our "dangers

"dangers and fears this way, to underſtand the miſerable Charles I.
"condition of your kingdom of Ireland, where, without 1628.
"controul, the popiſh religion is openly profeſſed, and prac-
"tiſed in every part thereof, popiſh juriſdiction being there
"generally exerciſed and avowed, monaſteries, nunneries,
"and other ſuperſtitious houſes newly erected, re-edified,
"and repleniſhed with men and women of ſeveral orders,
"and in a plentiful manner maintained at Dublin, and moſt
"of the great towns, and divers other places of the king-
"dom; which of what ill-conſequence it may prove, if not
"ſeaſonably repreſſed, we leave to your majeſty's wiſdom to
"judge: but moſt humbly beſeech you, (as we aſſure our-
"ſelves you will) to lay the ſerious conſideration thereof to
"your royal and pious heart, and that ſome ſpeedy courſe
"may be taken for redreſs therein.

"And if now to all theſe your majeſty will be pleaſed to
"add the conſideration of the circumſtances of time, wherein
"theſe courſes, tending to the deſtruction of true religion,
"within theſe your kingdoms, have been taken here, even
"then when the ſame is with open force and violence pro-
"ſecuted in other countries, and all the reformed churches in
"Chriſtendom, either depreſſed, or miſerably diſtreſſed: we
"do humbly appeal unto your majeſty's princely judgment,
"whether there be not juſt ground of fear, that there is ſome
"ſecret and ſtrong co-operating here with the enemies of our
"religion abroad, for the utter extirpation thereof? and whe-
"ther, if thoſe courſes be not ſpeedily redreſſed, and the
"profeſſion of true religion more encouraged, we can expect
"any other but miſery and ruin ſpeedily to fall upon us? eſpe-
"cially, if beſides the viſible and apparent dangers wherewith
"we are compaſſed about, you would be pleaſed to remember
"the diſpleaſure of Almighty God, always bent againſt the
"neglect of his holy religion, the ſtrokes of whoſe divine
"juſtice we have already felt, and do ſtill feel with ſmart
"and ſorrow in great meaſure.

"And beſides this fear of innovation in religion, we do
"in like faithful diſcharge of our duties, moſt humbly declare
"to your majeſty, that the hearts of your people are full of
"fear of innovation and change of government, and ac-
"cordingly poſſeſſed with extreme grief and ſorrow; yet in
"this point, by your majeſty's late anſwer to our petition of
"right touching our liberties, much comforted, and raiſed
"again out of that ſadneſs and diſcontent, which they gene-
"rally had conceived throughout the whole kingdom, for the
"undue courſes which were the laſt year taken for raiſing of

"monies

Charles I. 1628. "monies by loans, than which (whatever your majeſty hath "been informed to the contrary) there were never any mo- "nies demanded nor paid with greater grief, and general "diſlike of all your faithful ſubjects; tho' many, partly out "of fear, partly out of other reſpects, (yet moſt unwillingly) "were drawn to yield to what was required.

"The billeting of ſoldiers did much augment both their "fears and grief, wherein likewiſe they find much comfort "upon your gracious anſwer to our petition of right, and to "that we preſented to your majeſty concerning this par- "ticular. Yet we moſt humbly beſeech your majeſty, that "we may inform you, that the ſtill continuance and late re- "inforcing of thoſe ſoldiers, the conditions of their perſons, "(many of them not being natives of this kingdom, nor of "the ſame, but of an oppoſite religion) the placing them "upon the ſea-coaſt, where making head amongſt them- "ſelves, they may unite with the popiſh party at home, if "occaſion ſerve, and join with an invading enemy to do ex- "treme miſchief; and that they are not yet diſmiſſed, both "ſtill miniſter cauſe of jealouſy in your loving ſubjects; for "that the ſoldiers cannot be continued without exceeding "great danger of the peace and ſafety of your kingdom.

"The report of the ſtrange and dangerous purpoſe of "bringing in German horſe, and riders, would have turned "our doubts into deſpair, and our fears into a certainty of "confuſion, had not your majeſty's gracious meſſage (for "which we humbly give you thanks) comforted us by the "aſſurance of your royal word, that they neither are, nor "were intended by your majeſty for any ſervice in England, "but that they were deſigned for ſome other foreign employ- "ment. Yet the ſight of the privy-ſeal, by which, it "ſeemeth, they were to be levied; the great ſum of money, "which, upon examinations, we found to be paid for that "purpoſe, gave us juſt cauſe of fear, that much about the "ſame time there was a commiſſion under the great-ſeal "granted unto the lords, and others of the privy-council, "to conſider of other ways for raiſing of monies, ſo particu- "larly by impoſitions, gave us juſt cauſe to ſuſpect, that "whatſoever was your majeſty's gracious intention, yet "there wanted not thoſe, that under ſome colourable pre- "tence, might ſecretly by this, as by other ways, contrive "to change the frame of both religion and government, and "thereby undermine the ſafety of your majeſty and your "kingdoms.

"Theſe

" Theſe men could not be ignorant, that the bringing in Charles I.
" of ſtrangers for aid, hath been pernicious to moſt ſtates, 1628.
" where they have been admitted, but to England fatal.
" We do bleſs God that hath given your majeſty a wiſe un-
" derſtanding heart to diſcern of thoſe courſes, and that ſuch
" power produceth nothing but weakneſs and calamity. And
" we beſeech your majeſty to pardon the vehemency of our
" expreſſion, if in the loyal and zealous affections we bear to
" your majeſty and your ſervice, we are bold to declare to
" your majeſty and the whole world, that we hold it far
" beneath the heart of any free Engliſhman to think, that
" this victorious nation ſhould now ſtand in need of German
" ſoldiers to defend their now king and kingdom.

" But when we conſider the courſes formerly mentioned,
" and theſe things to an apparent change of government, the
" often breaches of parliament, whereby your majeſty hath
" been deprived of the faithful counſel, and free aids of your
" people, by taking of tunnage and poundage, without
" grant thereof by act of parliament, ever ſince the beginning
" of your majeſty's reign to this preſent, the ſtanding com-
" miſſion granted to the duke of Buckingham to be general
" of an army in the land in the time of peace, the diſcharg-
" ing of faithful and ſufficient officers and miniſters, ſome from
" judicial places, and others from the offices and authorities
" which they formerly held in the commonwealth: we can-
" not but at the ſight of ſuch an apparent deſolation as muſt
" neceſſarily follow theſe courſes, out of the depth of ſorrow,
" lift up our cries to heaven for help, and next, under God,
" apply our ſelves unto your ſacred majeſty, who, if you
" could hear ſo many thouſands ſpeaking together, do jointly
" implore ſpeedy help and reformation.

" And if your majeſty would be pleaſed to take a further
" view of the preſent ſtate of your realm, we do humbly
" pray you to conſider, whether the miſerable diſaſters and
" ill-ſucceſs that hath accompanied all your late deſigns and
" actions, particularly thoſe of Cales, and the Iſle of Rhee,
" and the laſt expedition to Rochel, have not extremely
" waſted that ſtock of honour that was left unto this king-
" dom, ſometimes terrible to all other nations, and now
" declining to contempt beneath the meaneſt.

" Together with our honours, we there loſt thoſe (and
" that not a few) who had they lived, we might have ſome
" better hope of recovering it again; our valiant and experi
" colonels, captains and commanders, and many thouſand
" common ſoldiers and mariners: though we have ſome cauſe

" to

Charles I. 1628. "to think, that your majeſty is not as yet rightly informed "thereof; and that of ſix or ſeven thouſand of your ſubjects "loſt at the iſle of Rhee, your majeſty received information "but of a few hundreds. And this diſhonour and loſs hath "been purchaſed with the conſumption of above a million of "treaſure.

"Many of the forts are exceeding weak and decayed, and "want both men and munition. And here we cannot but "with grief conſider and complain of a ſtrange improvi- "dence (we think your majeſty will rather call it treachery) "that your ſtore of powder, which by order of your privy- "council, dated the 10th of December 1626, ſhould be con- "ſtantly three hundred laſt, beſides a continual ſupply of "twenty laſt a month for ordinary expences, and were now "fit (as we conceive) to be double the proportion, is at this "time in the Tower (the preſent warrants being ſerved) but "nine laſts and forty-eight pounds in all; which we tremble "to think of. And that, notwithſtanding the extreme ſcar- "city of powder, great quantities have been permitted to be "ſold out of your majeſty's ſtore to particular perſons for "private gain; whereof we have ſeen a certificate, ſix laſt "ſold ſithence the fourteenth of January laſt, and your ma- "jeſty's ſtore being unfurniſhed of powder, which by a con- "tract made with Mr. Evelyn, by advice of your lords in "parliament, ought to be ſupplied monthly with twenty laſt, "at the rate of three pounds ten ſhillings and ten-pence a "barrel; your majeſty hath been forced to pay above ſeven "pounds a barrel for powder, to be brought in from beyond "ſeas; for which purpoſe, twelve thouſand four hundred "pounds was impreſſed to Mr. Burlemack the laſt year, and "that powder not ſo good as that by contract your majeſty "ſhould have by one third-part; all which are moſt fearful "and dangerous abuſes. But what the poverty, weakneſs and "miſery of our kingdom is now grown unto by decay of "trade, and deſtruction, and loſs of ſhips and mariners, "within theſe three years, we are almoſt afraid to declare: "And could we by any other means have been ſure, that "your majeſty ſhould any other way have had a true in- "formation thereof, we ſhould have been doubtful to have "made our weakneſs and extremity of misfortune in this "kind to appear: But the importunate and moſt pityful "complaints from all parts of the kingdom near adjoining "to the ſea in this kind, would rend, as we think, the "ſtonieſt heart in the world with ſorrow; and the ſenſe we "have of the miſerable condition your kingdom is in by

reaſon

" reaſon thereof, eſpecially, for that we ſee no poſſible means Charles I.
" (being now ſhortly to end this ſeſſion) how to help the 1628.
" ſame, adds ſuch a weight of grief unto our ſad thoughts,
" as we have not words to expreſs it: But for your ma-
" jeſty's more exact information therein, we beſeech you be
" pleaſed to peruſe the kalendar of particulars, which, with
" the remonſtrance, we moſt humbly preſent unto your ma-
" jeſty.

" One reaſon, amongſt many, of this decay of trade, and
" loſs of ſhips and mariners is, the not guarding of the
" narrow ſeas, the regality whereof your majeſty hath now
" in a manner wholly loſt, being that wherein a principal
" part of the honour and ſafety of this kingdom heretofore
" conſiſted; and now having abſolutely neglected it, the
" town of Dunkirk doth ſo continually rob and ſpoil
" your ſubjects, that we can aſſure your majeſty (if ſome
" preſent and effectual remedy be not forthwith provided)
" the whole trade of this kingdom, the ſhipping, mariners,
" and all belonging thereunto, will be utterly loſt and con-
" ſumed. The principal cauſe of which evils and dangers
" we conceive to be the exceſſive power of the duke of
" Buckingham, and the abuſe of that power: And we
" humbly ſubmit unto your majeſty's excellent wiſdom,
" whether it be ſafe for yourſelf, or your kingdoms, that ſo
" great power as reſts in him by ſea and land, ſhould be in
" the hands of any one ſubject whatſoever.

" And as it is not ſafe, ſo, ſure we are, it cannot be for
" your ſervice, it being impoſſible for one man to manage
" ſo many and weighty affairs of the kingdom as he hath
" undertaken, beſides the ordinary duties of thoſe offices
" which he holds, ſome of which well performed, would
" require the time and induſtry of the ableſt men both of
" counſel and action, that your whole kingdom will afford,
" eſpecially in theſe times of common danger.

" And our humble deſire is farther, that your moſt ex-
" cellent majeſty will be pleaſed to take into your moſt
" princely conſideration, whether, in reſpect the ſaid duke
" hath ſo abuſed his power, it be ſafe for your majeſty and
" your kingdoms to continue him, either in his great offices,
" or in his place of nearneſs and counſel about your ſacred
" perſon.

" And this in all humility, aiming at nothing but the
" honour of Almighty God, and the maintenance of his
" true religion, the ſafety and happineſs of your moſt ex-
" cellent majeſty, and the preſervation and proſperity of this

Charles I. 1628. "church and commonwealth; we have endeavoured with "faithful hearts and intentions, and in diſcharge of the duty "we owe to your majeſty and our country, to give your "majeſty a true repreſentation of our preſent danger, and "preſſing calamities, which we humbly beſeech your ma-"jeſty graciouſly to accept, and to take the ſame to heart, "accounting the ſafety and proſperity of your people, your "greateſt happineſs, and their love, your richeſt treaſure. A "rueful and lamentable ſpectacle we confeſs it muſt needs "be, to behold thoſe ruins in ſo fair an houſe, ſo many "diſeaſes, and almoſt every one of them deadly, in ſo ſtrong "and well-tempered a body as this kingdom lately was. But "yet we will not doubt, but that God hath reſerved this "honour for your majeſty, to reſtore the ſafety and happi-"neſs thereof, as a work worthy ſo excellent a prince, for "whoſe long life and true felicity we daily pray, and that "your fame and never-dying glory may be continued to all "ſucceeding generations.

This remonſtrance, delivered by the ſpeaker (who much deſired to be excuſed) made no great impreſſion upon the king, though it did upon the people. All the facts alledged were known and indiſputable truths. As to the right, the people readily believed, the king and his miniſters meant to eſtabliſh a deſpotic power, becauſe all their proceedings plainly ſhowed it. But they could not believe that the parliament had purpoſely formed a project to rob the king of his prerogatives. They were the more confirmed in that belief, as after the diſſolution of this very parliament, the king, in the reaſons he gave for the diſſolution, complained not of the remonſtrance.

The bill of ſubſidies is ſent up to the lords. The commons prepare a remonſtrance upon tunnage and poundage. Ruſhworth, t. i. p. 626, 628.

The ſame day the remonſtrance was preſented to the king, the commons ſent the ſubſidy-bill to the lords for their concurrence. Soon after the king acquaints them by meſſage, that he meant to end the ſeſſion the 26th of June; whereupon the commons began to prepare a particular remonſtrance of the undue taking of tunnage and poundage [k]. This was an ancient impoſt upon merchants goods exported and imported, which the parliament uſually granted to the kings, to enable them to guard the ſeas and protect the trade. This

[k] The commons fell immediately upon the bill of tunnage and poundage; but finding they ſhould not have time to accompliſh the ſame, it was ordered that a committee ſhould be appointed to draw up a remonſtrance, of the undue taking of tunnage and poundage without act of parliament. Ruſhworth, t. i. p. 628.

impoſt

impoſt had long been granted to every king, and it happened ſometimes, that after the death of a king, his ſucceſſor had continued to levy it, till the parliament had given it by an act. As in the reign of Charles I. the court was much guided by precedents favourable to the prerogative-royal, and as they took advantage of ſuch precedents, as if they had been ſo many laws, it happened that ſince king James's death, Charles had levied tunnage and poundage, without deſiring an act of parliament for that purpoſe, under colour that ſome of his predeceſſors had practiſed it ſome time till an act was paſſed. This is what the commons found fault with, maintaining, the right was a pure grant of the people, and conſequently the king had not power to levy it without the conſent of parliament; and the more as the ſeas had never been well guarded, nor the trade leſs protected than in the firſt years of this reign. To maintain therefore the people's rights, and hinder the crown from uſurping by degrees the impoſt of tunnage and poundage, as a right independent of the parliament, the commons prepared a remonſtrance to the king upon that ſubject. Charles I. 1628.

Whilſt the remonſtrance was drawing, the king acquainted the lords, that the commiſſion for finding means to raiſe money, was but a warrant of advice, agreeable to the time and occaſions; but that now having received a token of his people's love, by the ſubſidy-bill ready to be paſſed, the commiſſion was become uſeleſs, and therefore he had commanded it to be cancelled. As if he had ſaid, in caſe the parliament had not granted a ſupply, he ſhould have found ways to raiſe money. As to his ſaying the commiſſion was but a warrant of advice, it is ſtrange that in ſpeaking to men of ſenſe, ſuch wretched excuſes ſhould be uſed. The day following, the commons were informed alſo, that the commiſſion was cancelled. As the affair of tunnage and poundage made a great noiſe, it is neceſſary to inſert the commons remonſtrance on that ſubject. The king tells both houſes the commiſſion for raiſing money is cancelled. Ruſhworth, t. i. p. 628. Annals. p. 334.

" Moſt gracious ſovereign,

" YOUR majeſty's moſt loyal and dutiful ſubjects, the commons in this preſent parliament aſſembled, being in nothing more careful, than of the honour and proſperity of your majeſty, and the kingdom, which they know do much depend upon that happy union and relation betwixt your majeſty and your people, do with much ſorrow apprehend, that by reaſon of the incertainty of their continu- The commons remonſtrance of tunnage and poundage. Ruſhworth, t. i. p. 628.

Charles I. 1628. "ance together, the unexpected interruptions which have been caſt upon them, and the ſhortneſs of time in which your majeſty hath determined to end this ſeſſion, they can not bring to maturity and perfection, divers buſineſſes of weight, which they have taken into their conſideration and reſolution, as moſt important for the common good: Amongſt other things, they have taken into eſpecial care the preparing of a bill, for the granting of your majeſty ſuch a ſubſidy of tunnage and poundage, as might uphold your profit and revenue in as ample a manner as their juſt care and reſpect of trade (wherein not only the proſperity, but even the life of the kingdom doth conſiſt) would permit; but being a work which will require much time and preparation by conference with your majeſty's officers, and with the merchants, not only of London, but of other remote parts, they find it not poſſible to be accompliſhed at this time: Wherefore conſidering it will be much more prejudical to the right of the ſubject, if your majeſty ſhould continue to receive the ſame without authority of law, after the determination of a ſeſſion, than if there had been a receſs by adjournment only, in which caſe, that intended grant would have related to the firſt day of the parliament; and aſſuring themſelves, that your majeſty is reſolved to obſerve that your royal anſwer, which you have lately made to the petition of right of both houſes of parliament: Yet doubting leſt your majeſty may be miſinformed concerning this particular caſe, as if you might continue to take thoſe ſubſidies of tunnage and poundage, and other impoſitions upon merchants, without breaking that anſwer, they are forced by that duty which they owe to your majeſty, and thoſe whom they repreſent, to declare, "That there ought not any impoſition to be laid upon the goods of merchants, exported or imported, without common conſent by act of parliament; which is the right and inheritance of your ſubjects, founded not only upon the moſt ancient and original conſtitution of this kingdom, but often confirmed and declared in divers ſtatute laws.

"And for the better manifeſtation thereof, may it pleaſe your majeſty to underſtand, That although your royal predeceſſors, the kings of this realm, have often had ſuch ſubſidies and impoſitions granted unto them upon divers occaſions, eſpecially for the guarding of the ſeas, and the ſafeguard of merchants: Yet the ſubjects have been ever careful to uſe ſuch cautions and limitations in thoſe grants,

as

" as might prevent any claim to be made, that ſuch ſubſidies Charles I.
" do proceed from duty, and not from the free-gift of the 1628.
" ſubjects. And that they have heretofore uſed to limit a
" time in ſuch grants, and for the moſt part but ſhort, as for
" a year or two, and if it continued longer, they have ſome-
" times directed a certain ſpace of ceſſation or intermiſſion,
" that ſo the right of the ſubject might be more evident.
" At other times it hath been granted upon occaſion of war,
" for a certain number of years, with proviſo, That if the
" war were ended in the mean time, then the grant ſhould
" ceaſe: And of courſe it hath been ſequeſtred into the
" hands of ſome ſubjects, to be employed for the guarding
" of the ſeas. And it is acknowledged by the ordinary an-
" ſwers of your majeſty's predeceſſors, in their aſſent to the
" bills of ſubſidies of tunnage and poundage, that it is of
" the nature of other ſubſidies, proceeding from the good
" will of the ſubject: Very few of your predeceſſors had it
" for life, until the reign of Henry VII. who was ſo far from
" conceiving he had any right thereunto, that although he
" granted commiſſions for collecting certain duties and
" cuſtoms due by law, yet he made no commiſſions for re-
" ceiving the ſubſidy of tunnage and poundage, until the
" ſame was granted unto him in parliament. Since his time
" all the kings and queens of this realm have had the like
" grants for life, by the free love and good will of the ſub-
" jects. And whenſoever the people have been grieved, by
" laying any impoſitions, or other charges upon their goods
" and merchandiſes without authority of law (which hath
" been very ſeldom) yet upon complaint in parliament, they
" have been forthwith relieved; ſaving in the time of your
" royal father, who, having through ill counſel raiſed the
" rates and charges upon merchandizes to that height at
" which they now are, yet he was pleaſed ſo far forth to
" yield to the complaint of his people, as to offer, That if
" the value of thoſe impoſitions which he had ſet might be
" made good unto him, he would bind himſelf and his heirs
" by act of parliament, never to lay any other: Which
" offer, the commons at that time, in regard of the great
" burden, did not think fit to yield unto. Nevertheleſs your
" loyal commons in this parliament, out of their eſpecial
" zeal to your ſervice, and eſpecial regard of your preſſing
" occaſions, have taken into their conſideration, ſo to frame
" a grant of ſubſidy of tunnage or poundage to your majeſty,
" that both you might have been the better enabled for the
" defence of your realm, and your ſubjects, by being ſecure

Charles I. 1628. "from all undue charges, be the more encouraged chearfully "to proceed in their courſe of trade; by the increaſe where- "of, your majeſty's profit, and likewiſe the ſtrength of the "kingdom, would be very much augmented.

"But not being now able to accompliſh this their deſire, "there is no courſe left unto them, without manifeſt breach "of their duty, both to your majeſty and their country, "ſave only to make this humble declaration, That the re- "ceiving of tunnage and poundage, and other impoſitions, "not granted by parliament, is a breach of the fundamental "liberties of this kingdom, and contrary to your majeſty's "royal anſwer to the ſaid petition of right. And therefore "they do moſt humbly beſeech your majeſty to forbear any "further receiving of the ſame; and not to take it in ill "part from thoſe of your majeſty's loving ſubjects, who "ſhall refuſe to make payment of any ſuch charges, without "warrant of law demanded.

"And as by this forbearance, your moſt excellent ma- "jeſty ſhall manifeſt unto the world your royal juſtice in the "obſervation of your laws: So they doubt not but hereafter "at the time appointed for their coming again, they ſhall "have occaſion to expreſs their great deſire to advance your "majeſty's honour and profit."

The king being informed of the contents of this remonſtrance, on the 26th of June ſent for the ſpeaker, who returned ſome time after to the houſe, whilſt the remonſtrance was reading. He was no ſooner come but the king, who was now at the houſe of lords, ſent for the commons, and thus ſpoke to both houſes.

The king's ſpeech to both houſes concerning tunnage and poundage. Ruſhworth, t. 1. p. 631.

"IT may ſeem ſtrange that I came ſo ſuddenly to end this "ſeſſion; before I give my aſſent to the bills, I will tell "you the cauſe, though I muſt avow, that I owe the ac- "count of my actions to God alone. It is known to every "one, that a while ago the houſe of commons gave me a "remonſtrance, how acceptable every man may judge; "and for the merit of it, I will not call that in queſtion, "for I am ſure no wiſe man can juſtify it.

"Now ſince I am truly informed, that a ſecond remon- "ſtrance is preparing for me to take away the profit of my "tunnage and poundage, one of the chief maintenances of my "crown, by alledging, I have given away my right thereto "by my anſwer to your petition:

"This

"This is ſo prejudicial unto me, that I am forced to end Charles I.
"this ſeſſion ſome few hours before I meant, being not wil- 1628.
"ling to receive any more remonſtrances, to which I muſt
"give a harſh anſwer. And ſince I ſee, that even the houſe
"of commons begins already to make falſe conſtructions of
"what I granted in your petition, leſt it be worſe interpre-
"ted in the country, I will now make a declaration concern-
"ing the true intent thereof.

"The profeſſion of both houſes in the time of hammer-
"ing this petition, was no way to trench upon my pre-
"rogative, ſaying, they had neither intention or power to
"hurt it. Therefore it muſt needs be conceived, that I have
"granted no new, but only confirmed the ancient liberties
"of my ſubjects. Yet to ſhow the clearneſs of my inten-
"tions, that I neither repent, nor mean to recede from any
"thing I have promiſed you, I do here declare myſelf, That
"thoſe things which have been done, whereby many have
"had ſome cauſe to expect the liberties of the ſubjects to
"be trenched upon, which indeed was the firſt and true
"ground of the petition, ſhall not hereafter be drawn into
"example for your prejudice, and from time to time, in the
"word of a king, ye ſhall not have the like cauſe to com-
"plain. But as for tunnage and poundage, it is a thing I
"cannot want, and was never intended by you to aſk, nor
"meant by me, I am ſure, to grant.

"To conclude, I command you all that are here, to
"take notice of what I have ſpoken at this time, to be the
"true intent and meaning of what I granted you in your
"petition; but eſpecially you, my lords the judges, for to
"you only, under me, belongs the interpretation of laws;
"for none of the houſes of parliament, either joint or ſe-
"parate, (what new doctrine ſoever may be raiſed) have
"any power either to make or declare a law without my
"conſent."

After this ſpeech, the ſubſidy-bill was paſſed, the lords having already given their conſent, and the parliament was prorogued to the 20th of October. Subſidy-bill is paſſed, and the parliament prorogued.

The king's ſpeech to the parliament before the prorogation, was ſo dark, that it was hard to conceive upon what grounds he complained of the remonſtrance the commons had prepared. He ſeems to have conſidered tunnage and poundage as a right annexed to his prerogative royal. Otherwiſe, there was no need to obſerve, that both houſes, whilſt they were preparing the petition of right, had declared, they meant Remark on the king's ſpeech.

Charles I. 1628. not to incroach upon his prerogative. This argument, on ſuppoſition of that principle, would have been unanſwerable, and the reſt very ſuperfluous. But as the king knew he could never prove this right to belong to him independently of the parliament, he proceeded to other arguments, the weakneſs whereof is evident. He ſaid, the two houſes by their petition of right, did not intend to take from him tunnage and poundage, from whence he inferred, that ſince they had no ſuch particular view, he could not with juſtice be deſired to deſiſt from it. But firſt, though the petition of right contained ſome particular articles, theſe articles did not exclude whatever was implied in the general article, founded upon the ancient ſtatutes: "That no tax, tallage, loan, benevolence, "or other charge ought to be levied by the king, without the "conſent of parliament." Now tunnage and poundage being of this nature, it neceſſarily followed, that it was included in the general article, or elſe, it was to be proved to belong to the crown, independently of the common conſent of the people. In the ſecond place, the two houſes had no intention to deprive him of tunnage and poundage in particular, becauſe they deſigned to grant it by an act. He could not therefore conclude from thence, that he had a right to levy it without their conſent. He alledged as another argument, that he never meant to grant them this article, making his anſwer to depend upon his intention. But his anſwer, "Soit fait comme il eſt deſiré," manifeſtly referred to the contents of the petition, and not to the king's intention in granting it. His third argument was taken from tunnage and poundage being one of the beſt revenues of the crown, and his chief ſupport. This was an excellent argument to demonſtrate to the parliament the neceſſity of granting him this right, and to induce him to continue the ſeſſion till the act was paſſed; but he could not thence infer, that he had power to levy it againſt the parliament's will, eſpecially as it was in his breaſt to have it in a legal way. Moreover, he continually inculcated, that his anſwer depended upon his intention, directly contrary to the clear and expreſs terms of the anſwer itſelf, which could refer only to the petition. Finally, in taking from the houſes the power of declaring what was, or what was not law, he aſcribed it ſolely to the judges who were under him; that is to ſay, as he could make or unmake the judges as he pleaſed, he put himſelf properly in poſſeſſion of this power, independently of the two houſes. This intention appeared but too plainly afterwards.

This

This ſeſſion was worth to the king five ſubſidies [1], a very conſiderable aid, with which the parliament purchaſed the king's anſwer to the petition of right, that is, the confirmation of the laws, which till then had paſſed for inconteſtable. On the other ſide, the king thought he had no leſs dearly bought the five ſubſidies by his condeſcenſion to tie up his hands, in giving his conſent to the petition of right, contrary to his own principles, and the projects he had formed with reſpect to government. But he afterwards ſhowed, that in granting the petition of right, he had only amuſed the parliament, ſince he never regulated his conduct by what was contained in the petition. Preſently after the prorogation of the parliament, the king publiſhed ſeveral proclamations. The firſt was to ſuppreſs Dr. Manwaring's ſermons, entitled, Religion and Allegiance. But this ſuppreſſion conſiſted only in an order to ſuch as had any copies of theſe ſermons, to deliver them to the ſecretary of ſtate, or ſome other magiſtrate [m]. The ſequel will ſhow whether the court was deſirous the order ſhould be punctually executed. But the king's appearing publicly not to approve of theſe ſermons, was ſufficient to ſatisfy the people.

Charles I. 1628.

Manwaring's ſermons ſuppreſſed by proclamation. Act. Pub. xviii. p. 1024. Ruſhworth, t. i. p. 633.

By another proclamation, Richard Smith, titular biſhop of Chalcedon, was ordered to be apprehended, with all other prieſts and jeſuits that had taken orders by authority from the ſee of Rome, and, after conviction, to be committed to the caſtle of Wiſbich [n]. Some jeſuits having been taken and ſent to Newgate [o], the king ordered, that if they were found guilty, they ſhould be carried to the ſame caſtle of Wiſbich in the Iſle of Ely. Theſe were all the proceedings of the court againſt the papiſts.

Annals. Another againſt the biſhop of Chalcedon. Ruſhworth, t. i. p. 633. Act. Pub. xviii. p. 1037.

But on the other hand, the king took a courſe which gave a much worſe opinion of his own, or his miniſter's zeal for religion. Firſt, he appointed commiſſioners to compound with

Commiſſioners to compound with recuſants.

[1] The clergy granted alſo five ſubſidies.—The acts made in this ſeſſion were, 1. An Act forbidding carriers, waggoners, and drovers, travelling on Sunday; or butchers killing or ſelling meat on that day. 2. To reſtrain the paſſing or ſending any to be popiſhly bred beyond the ſeas. 3. For the better ſuppreſſing of unlicenſed ale-houſe keepers. 4. For eſtabliſhing Sutton's hoſpital. 5. For reſtitution in blood of Sir Carew Raleigh.

[m] Ruſhworth ſays, they were wholly ſuppreſſed, and that it was Montague's books that were ordered to be delivered to the biſhop of the dioceſe, &c. Ruſhworth, tom. i. p. 633, 635.

[n] They were firſt to be committed to the county gaols, but if after conviction there ſhould be cauſe to reſpite execution, they were to be removed to Wiſbich. Idem. p. 633.

[o] Theſe were a neſt of jeſuits diſcovered in Clarkenwell, and formerly apprehended, who were alſo after conviction to be removed from Newgate to Wiſbich. Ibid.

Charles I. 1628.

with recuſants. Secondly, Sir Richard Weſton, a known papiſt, was made lord treaſurer, and afterwards earl of Portland. Thirdly, Dr. Laud, who was conſidered as head of the Arminians, in the judgment of the houſe of commons, was tranſlated from Bath and Wells to the biſhopric of London. Fourthly, Dr. Montague, who had given ſo great offence by his book, entitled, Appeal to Cæſar, was promoted to the ſee of Chicheſter [p].

Weſton made treaſurer, and earl of Portland. Laud biſhop of London, July 15. and Montague of Chicheſter. Annals, p. 337.

The town of Rochel being at this time cloſely beſieged by the king of France, the king had prepared a fleet to relieve it, and the duke of Buckingham, who was to have the command, was now at Portſmouth. But when he was going to imbark, he was ſtabbed to the heart with a knife, and immediately died [q]. The aſſaſſin was one John Felton, a lieutenant, who owned, that after the declaration of the commons againſt the duke, he had looked upon him as an enemy to his country, and been thereby induced to commit the deed. It appeared by his trial, that he had no complice, and was led to this wicked action by an exceſs of zeal. The king being then at Sir Daniel Norton's near Portſmouth, ſeemed extremely concerned for the duke's death, and to give him even after his death, continual marks of his affection, his creatures remained in the ſame favour and poſts they had enjoyed in the life-time of their protector.

Buckingham is murdered by Felton. Auguſt 23. Clarendon. t. i. p. 23, &c. Ruſhworth, t. i. p. 635. Howes. Annals, p. 337.

Mean while, as the relief of Rochel could not be delayed any longer, the king ſent away the fleet deſigned for that purpoſe [r]. But cardinal Richelieu had uſed ſo great diligence, that the barricado he was making to hinder the approach of the Engliſh ſhips, was finiſhed, ſo that the fleet was forced to return without effecting any thing, after having ſeen Rochel taken [s].

The fleet departs, but cannot relieve Rochel. Ruſhworth, t. i. p. 635.

[p] Manwaring alſo (having with Montague procured a royal pardon of all errors) was, notwithſtanding his being diſabled by the houſe of lords from all future preferments, immediately preſented to the rectory of Stamford Rivers, with a diſpenſation to hold St. Giles's in the Fields. Ibid.

[q] As the duke was going out of his chamber, Felton ſtepped to the door, and made as if he had held up the hangings. In the paſſage, the duke turning to ſpeak to Sir Thomas Fryar, and ſtooping becauſe Sir Thomas was very ſhort, Felton came behind the duke, and reaching over Sir Thomas's ſhoulder, ſtruck him to the heart. Clarendon, tom. i. p. 24, 25. The duke was buried at Weſtminſter, September 18. His whole eſtate was not quite 4000 l. a year; but he had 300,000l. in jewels; and owed 60,000l. Heylin on H. Leſtr. p. 67.

[r] On September 8, under the command of Robert Bertie earl of Lindſey. But the victuals of the fleet ſtunk, and it wanted proper tackling and other materials. Ruſhworth, tom. i. p. 636.

[s] It had held out ſo long, that prodigious numbers had died of the famine, ſo that at the taking of it, there were not four thouſand remaining alive out of fifteen thouſand. Ibid.

The

The meeting of the parliament appointed to be the 20th of October, was by proclamation prorogued to the 10th of January. In this interval, certain cases happened which supplied the parliament with a fresh occasion of complaint, and in the end caused their dissolution. Though the remonstrance concerning tunnage and poundage was not presented to the king, it was however public, and sufficient to show the people what was the sense of the house of commons. Upon this foundation three merchants among others, refused to pay this duty to the king. Rolls, one of the three, merchant of London, and member of the house of commons, having refused it, as contrary to law, the customers seized his goods; and upon his alledging the authority of parliament, one of the officers insolently told him, "If all the parliament were in "you, we would take your goods." Chambers and Vassal, the other two merchants of London, the first of whom was alderman, were condemned to pay tunnage and poundage by the barons of the exchequer, who ordered their goods to be detained.

Charles I. 1628.

The parliament is further prorogued to the 10th of January. Id. p. 638.

Some merchants refuse to pay tunnage and poundage. Id. p. 641.

Their goods are seized. Id. p. 643. Annals.

The parliament meeting the 10th of January 1628-9, Rolls's affair was immediately laid before the house, and referred to a committee. Whilst the committee were in debate, the king sent a message to the house, willing them to desist till next day in the afternoon, at which time he would speak with them at Whitehall. The lords having also received orders to be present, the king made the following speech to both houses.

1628-9.

The parliament meets.

The king sends for both houses.

"THE care I have to remove all obstacles that may hinder the good correspondency between me and this parliament, is the cause I have called you together at this time, the particular occasion being a complaint made in the lower house. And for you, my lords, I am glad to take this, and all other occasions, whereby you may clearly understand both my words and actions; for as you are nearest in degree, so you are the fittest witnesses unto kings.

The king's speech concerning tunnage and poundage. Rushworth, t. i. p. 644.

"The complaint I speak of is, for staying mens goods that deny tunnage and poundage; this may have an easy and short conclusion, if my words and actions be rightly understood: for by passing the bill, as my ancestors have had it, my by-past actions will be included, and my future proceedings authorised, which certainly would not have been stuck on, if men had not imagined that I had taken these duties as appertaining to my hereditary prerogative, in

"which

Charles I. 1628-9.

" which they are much deceived; for it ever was and ſtill is " my meaning, by the gift of my people to enjoy it; and my " intention in my ſpeech at the ending of the laſt ſeſſion " concerning this point, was to challenge tunnage and pound- " age as of right, but de bene eſſe, ſhewing you the neceſſity, " not the right by which I was to take it, until you had " granted it to me, aſſuring myſelf, according to your gene- " ral profeſſions, you wanted time, not will, to give it me.

" Wherefore now having opportunity, I expect that with- " out loſs of time you make good your profeſſions, and ſo " by paſſing of a bill, put an end to all the queſtions ariſing " from this ſubject; eſpecially ſince I have cleared the only " ſcruple that can trouble you in this buſineſs. To con- " clude, let us not be jealous one of the other's actions; for " if I had been eaſily moved at every occaſion, the order you " made on Wedneſday laſt might have made me ſtartle, there " being ſome ſhew to ſuſpect that you had given yourſelves " the liberty to be the inquiſitors after complaints (the words " of your order being ſomewhat too largely penned) but, " looking into your actions, I find you only hear complain- " ers, not ſeeking complaints: for I am certain you neither " pretend, nor deſire the liberty to be inquiſitors of mens " actions before particular complaint be made.

" This I have ſpoken to ſhow you how ſlow I am to be- " lieve harſhly of your proceedings, likewiſe to aſſure you, " that the houſes reſolutions, not particular mens ſpeeches, " ſhall make me judge well or ill, not doubting, but accord- " ing to my example, you will be deaf to ill reports concern- " ing me, till my words and actions ſpeak for themſelves, " that ſo this ſeſſion beginning with confidence one towards " another, it may end with a perfect good underſtanding be- " tween us: which God grant."

The commons conſider of matters of religion, notwithſtanding the king's inſtances to go upon tunnage and poundage. Jan. 26. Ruſhworth. t. i. p. 645, —647. Annals.

Some days after the king ſent a meſſage to the commons, that the bill for tunnage and poundage might be ſpeedily taken into conſideration, and no time loſt. But the commons not thinking the king had power to preſcribe the time to them, fell upon matters of religion, particularly with regard to arminianiſm: and finding that Laud, Montague, and Manwaring had been preferred ſince the laſt ſeſſion, ſeveral members made great complaints. Though the king preſſed them again by meſſage to proceed with the bill for tunnage and poundage, they pretended that religion ought to have the precedency of all other affairs. Wherefore they began to inquire how the execution of the laws againſt papiſts came to ceaſe, and whence it was that papiſts were employed and

counte-

countenanced, and new ceremonies continually introduced, Charles I. especially at Durham, by Dr. Cosins, as angels, saints, crucifixes, altars, candles and Candlemas-day, and lastly, from whence proceeded the increase of arminianism. 1628-9.

Complaints against Cosins.

This inquiry was interrupted by a fresh message from the king, requiring them to give the preference to the bill for tunnage and poundage. Nevertheless he declared, that he meant not to interrupt their debates upon matters of religion, provided the house would not meddle with what did not belong to them. By that, he took away with one hand what he gave with the other, since he believed, the commons had no right to meddle with religion. This message hindered them not from continuing their debates. The proclamation forbidding all disputes for and against arminianism was complained of particularly, wherein it was said, "If there be "any difference of opinion concerning the seasonable inter- "pretation of the thirty-nine articles, the bishops have power "to order which way they please." But as some of the bishops were suspected, it was concluded, that by the terms of the proclamation, the kingdom would be obliged to receive popery or arminianism, by following the determinations of the bishops[t]. These suspicions fell chiefly upon Laud and Neile, who being the king's counsellors for matters of religion, governed almost all the other bishops. Upon this account, the house, to prevent the dangers they feared, thought fit to enter into this vow:

The king forbids the commons to meddle with religious matters. Jan. 28. Rushworth, t. i. p. 648. They regard not his orders. p. 649.

"We the commons in parliament assembled, do claim, "protest, and avow for truth, the sense of the articles of re- "ligion, which were established by parliament in the thir- "teenth year of our late queen Elizabeth, which by the pub- "lic act of the church of England, and by the general and "current expositions of the writers of our church, have been "delivered unto us. And we reject the sense of the jesuits "and arminians, and all others, wherein they differ from "us."

The vow of the house of commons concerning religion. Rushworth, t. i. p. 649.

As the intention of the commons was to persuade the people that religion was in danger, they desired the concurrence of the lords to petition the king for a fast, which they obtained with some difficulty. The king plainly perceived the

Both houses petition for a fast.

The king grants it. Jan. 30. Id. p. 650. Annals.

[t] It may here be observed once for all, that from the constant complaints of the growth of arminianism, it may be inferred, the thirty-nine articles of the church of England were in those days generally taken in a calvinistical sense, though they are now, and have long been, subscribed by the clergy for most part in the arminian. The presbyterians (whose tenets are espoused by Rapin) adhere to the calvinistical interpretation.

design

Charles I. 1628-9. design of the petition, and, though he did not think fit to reject it, answered, that the custom of fasting every session was but lately begun; that he granted it however for this time, though he did not see the necessity of it; but for the future would not grant a fast, except on extraordinary occasions. Adding, that as for the defence of the reformed churches abroad, fighting would do them more good than fasting.

As the king had frequently pressed the commons to proceed with the bill for tunnage and poundage, and give it the precedency of matters of religion, they thought themselves obliged to present a declaration to the king to justify their conduct.

Declaration of the commons to the king. Rushworth, t. i. p. 651.

This declaration, which was a sort of apology, containing nothing material, I do not think it necessary to insert it at length. It suffices to say, the commons excused themselves two ways for not giving precedency to the bill for tunnage and poundage. The first was, because matters of religion having been first proposed, the constant order of the house required, they should have the preference. The second was, the weight and importance of the concerns of religion. They concluded with thanking the king for his promises, to maintain religion, thereby tacitly reproaching him for not performing them.

p. 653. Annals.

The king answered this declaration, not particularly, but with some short notes. He told them, "he thought it strange "they should have an ill opinion of him with respect to re- "ligion. He assured them, that he would never stop his "ears to the complaints that should be brought to him upon "that subject, provided that in form and matter the com- "mons did not transgress their limits." Concluding with these words: "I must still be instant with you, that you pro- "ceed with tunnage and poundage with diligence; (not "looking to be denied in so just a desire) that you must not "think it strange, if I, finding you slack, give you such far- "ther quickning as I shall find cause."

Religious grievances. Feb. 4. Rushworth, t. i. p. 655. Annals.

After this, the commons continued their debates upon matters of religion, and particularly on the proclamation to prohibit disputing for or against arminianism. This was pretended to be a snare to suppress the puritan-party, and give the arminians more liberty, and that Laud and Montague had given the king this advice. It was also complained, that the enemies of religion had procured a royal pardon under the great seal for four ecclesiastics, the most suspected in England, namely, Montague, Cosins, Sibthorp, and Manwaring; and that, in contempt of the parliament, they were even pro-

moted to biſhoprics, or other good benefices [u]. I confeſs I cannot conceive how it is poſſible to juſtify the king's condeſcenſion for thoſe, who adviſed him to proceed ſo openly, nay, to prefer men ſo odious to the parliament, ſince he could not be ignorant how much he rendered himſelf ſuſpected by ſuch a conduct: at leaſt it cannot be denied that he gave his enemies an advantage. But beſides that it was the genius of the king and court to look upon the parliament, and eſpecially the commons, with extreme contempt, the king could refuſe nothing to Dr. Laud, who was his prime counſellor in eccleſiaſtical affairs. To confirm the commons in their ſuſpicions of Laud, the printers and booksellers of London preſented ſeveral petitions, complaining of the reſtraint of books written againſt popery and arminianiſm, whilſt a licenſe was never refuſed to ſuch as were compoſed in favour of popiſh and arminian doctrines. They even inſtanced in certain books againſt popery, which were denied to be licenſed. They affirmed, this was done by the biſhop of London, or his chaplains, to whom the examination of the books was committed. I Charles I. 1628-9. Ruſhworth, t. i. p. 655.

As Dr. Laud, afterwards archbiſhop of Canterbury, made a very great figure in England during the firſt fifteen years of this reign, I do not think it improper to relate here part of what is ſaid for and againſt him. Not that I pretend fully to make known his genius, his character, his religion: this to me ſeems impracticable, conſidering what oppoſite opinions there are concerning him, it being almoſt impoſſible to affirm any thing of him, good or bad, upon the teſtimony of ſome, but what is contradicted and rejected as falſe by others. This is the common effect of parties. Hardly can any thing be added to the encomiums which thoſe who profeſs what they call High-Church, that is, the rigid epiſcopalians, beſtow on this famous biſhop. The lord Clarendon, in his hiſtory, expreſſes, on all occaſions, a great eſteem for Laud, and finds no other fault in him, but a little too much eagerneſs to accompliſh his undertakings. All the reſt of the ſame party extol him to the ſkies. They ſee no imperfection in him; and every where praiſe his wiſdom, his good ſenſe, his learning, his piety, and above all, his zeal for the church of England, for which he at laſt died a martyr. The preſbyterians, on the contrary, without denying his ſenſe and learning, affirm, Laud's character.

[u] Oliver Cromwel, who was of this committee, complained, that Dr. Neile, biſhop of Wincheſter, countenanced perſons who preached popery: and, that Dr. Manwaring had been made biſhop. Adding, if theſe be the ſteps to church-preferment, what may we expect. Ruſhworth, tom. i. p. 655.

he

Charles I. 1628-9.

he was a rank arminian, and almoſt a papiſt. They ſay, that under the colour of a great zeal for the ceremonies of the church, he carried them to the borders of popery, and juſtly rendered himſelf ſuſpected of deſigning by degrees to reſtore the Romiſh religion in England. That to this end he made even the leaſt trifles, ſuch as the reformers had not meddled with, becauſe they thought them indifferent, to be conſidered as eſſential to religion. They inferred from thence, that it was impoſſible for a man of his ſenſe, to be attached to things of ſo little moment, had he not entertained ſome ill deſign againſt the reformed religion. That he was a mortal enemy of the preſbyterians and puritans, becauſe from them he met with moſt oppoſition to the execution of his projects. For my part, I own, that in all that has been ſaid againſt him, I have found no convincing proof of his intention to re-eſtabliſh the Roman catholic religion in England, unleſs we confound, as many did in thoſe days, popery with high-church, through a ſpirit of party. But it is very certain, he mortally hated the preſbyterians, and would have utterly extirpated puritaniſm, had it been in his power. As for arminianiſm, it is very probable, he was greatly inclined to it. See his character given by his predeceſſor archbiſhop Abbot, in the narrative which he drew in his own vindication in the year 1627.

Archbiſhop Abbot's character of biſhop Laud, Ruſhworth, t. i. p. 440.

" This man is the only inward counſellor with Bucking-
" ham, ſitting with him ſometimes privately whole hours,
" and feeding his humours with malice and ſpight.

" His life in Oxford was to pick quarrels in the lectures
" of the public readers, and to advertiſe them to the then
" biſhop of Durham, that he might fill the ears of king James
" with diſcontents, againſt the honeſt men that took pains
" in their places, and ſettled the truth (which he called pu-
" ritaniſm) in their auditors.

" He made it his work to ſee what books were in the
" preſs, and to look over epiſtles dedicatory, and prefaces to
" the reader, to ſee what faults might be found.

" It was an obſervation what a ſweet man this was like to
" be, that the firſt obſervable act that he did, was the mar-
" rying the earl of D. to the lady R.[w] when it was notorious
" to the world that ſhe had another huſband, and the ſame
" a nobleman, who had divers children then living by her.
" King James did for many years take this ſo ill, that he

[w] Laud it ſeems had married Charles Rich, wife of the earl of Warwick, who Blount earl of Devonſhire, to the lady was then alive.

" would

" would never hear of any great preferment of him; in- Charles I.
" ſomuch that the biſhop of Lincoln, Dr. Williams, who 1628-9.
" taketh upon him to be the firſt promoter of him, hath
" many times ſaid, that when he made mention of Laud
" to the king, his majeſty was ſo averſe from it, that he was
" conſtrained oftentimes to ſay, that he would never deſire
" to ſerve that maſter, which could not remit one fault unto
" his ſervant. Well, in the end he did conquer it, to get
" him to the biſhopric of St. David's; which he had not
" long enjoyed, but he began to undermine his benefactor, as
" at this day it appeareth. The counteſs of Buckingham
" told Lincoln, that St. David's was the man that undermin-
" ed him with her ſon: and verily, ſuch is his aſpiring na-
" ture, that he will underwork any man in the world, ſo that
" he may gain by it."

This character is not to Laud's advantage; but it muſt be obſerved, that the archbiſhop aſcribed his own diſgrace to the ſecret counſels given by that prelate to the duke of Buckingham.

Whilſt the commons were in debate concerning religion, the ware-houſe of Mr. Rolls, merchant and member of parliament, was locked up by a purſuivant, and himſelf called forth and ſerved with a ſubpœna [x]. This put the houſe in a flame, and occaſioned the ſending for the officers of the cuſtoms, to know upon what account they had ſeized the merchants effects, and carried them to the king's ſtore-houſe [y]. They replied, it was for refuſing to pay tunnage and poundage, and other duties. But becauſe there was an information already preferred againſt the merchants in the exchequer and ſtar-chamber, the commons reſolved not to proceed with the bill of tunnage and poundage, till the goods were reſtored to the owners; and ordered that the barons of the exchequer ſhould be told, to make void their injunction concerning the detaining of the merchants effects [z]. The barons returned anſwer,

Freſh quarrel between the king and commons about tunnage and poundage. Ruſhworth, t. i. p. 653, 654. Annals, p. 344, &c.

[x] The author ſays, the purſuivant ſent for Mr. Rolls out, to order him not to touch what was locked up. But this, and ſome other little miſtakes in this and the following paragraphs, are corrected in the tranſlation, it not being ſo eaſy to do it by way of note.

[y] It was moved, that the perſon that ſerved the ſubpœna might be ſent for and examined by what procurement it was taken forth. Sir Humphry May, privy-counſellor, aſſured the houſe, that this neither proceeded from king nor council, and therefore deſired it might be ſearched to the bottom. And afterwards, the attorney-general writ a letter to Mr. Rolls, telling him, the ſerving a ſubpœna upon him was a miſtake. And yet report was made to the houſe by the committee for tunnage and poundage, that the attorney-general, notwithſtanding his letter, did give order for the proceſs againſt Mr. Rolls. Ruſhworth, tom. i. p. 654.

[z] Chambers, it ſeems, having ſued out a writ of replevin, the proper remedy in law to regain the poſſeſſion of his goods; the barons of the exchequer did order

Charles I. 1628-9.

anſwer, that they did not, by their injunctions, determine, or any way touch upon the right of tunnage and poundage; neither did they by their orders, bar the owners from ſuing for their goods in a lawful courſe: but whereas the merchants endeavoured to take their goods out of the king's poſſeſſion by writs of replevin, which was no lawful courſe in the king's caſe, nor agreeable to his prerogative royal, therefore the court of exchequer did ſtay thoſe ſuits, and declare, that the owners, if they conceived themſelves wronged, might take ſuch remedy as the law allows. This anſwer, which ſignified nothing, not being ſatisfactory to the commons, a motion was made to conſider, whether ever the court of exchequer held this courſe before, for ſtaying of replevins; and whether this had been done by the prerogative of the king in his court of exchequer.

Rushworth, t. i. p. 655.

Feb. 19. Rushworth, t. i. p. 658. Annals.

This affair having been long debated in the houſe, the officers of the cuſtoms were ſent for again, and anſwered, that they acted by virtue of a commiſſion under the great ſeal. One of them ſaid, "He had ſeized the goods for duties that "were due in the time of king James, and that his majeſty "had ſent for him, and commanded him to make no other "anſwer." Whereupon the houſe being turned into a grand-committee, a motion was made and ſeconded, whether the officers of the cuſtom ſhould be proceeded againſt, by ſeparating their intereſt from that of the king. After ſeveral ſpeeches pro and con, a report was made from the grand-committee, that they had at laſt reſolved, that Mr. Rolls ought to have privilege of perſon and goods; which being voted, the ſpeaker was moved to put the queſtion, but he refuſed to do it, ſaying, the king had commanded the contrary. Such a command could not but ſurpriſe the houſe: they adjourned to the 25th of February, and then were farther adjourned by his majeſty's order till the 2d of March. On that day the commons being met, and requiring the ſpeaker to put the queſtion, he ſaid, "I have a command "from the king to adjourn the houſe till the 10th of March." And endeavouring to go out of the chair, he was held down by force, and the doors were locked, till Sir John Elliot had drawn the following proteſtation, which was approved by the majority, though not without great tumult and confuſion, and even ſome blows.

Rushworth, t. i. p. 659.

The ſpeaker refuſes to put the queſtion. Id. p. 660. Annals, p. 346.

He adjourns the houſe.

He would have gone out, but is detained by force.

order an injunction under the ſeals of the ſaid court, directed to the ſheriffs of London, commanding them not to execute the ſaid writ, or any the like, and declaring the goods were not replevable. Idem. p. 642.

The

The commons proteſtation.

The commons proteſtation. Ruſhworth, tom. i. p. 660.

" 1. Whoſoever ſhall bring in innovation of religion, or " by favour or countenance ſeem to extend or introduce po- " pery or Arminianiſm, or other opinion diſagreeing from " the truth and orthodox church, ſhall be reputed a capital " enemy to this kingdom and commonwealth.

" 2. Whoſoever ſhall counſel or adviſe the taking and le- " vying of the ſubſidies of tunnage and poundage, not being " granted by parliament, or ſhall be an actor or inſtrument " therein, ſhall be likewiſe reputed an innovator in the go- " vernment, and a capital enemy to the kingdom and com- " monwealth.

" 3. If any merchant or perſon whatſoever, ſhall volun- " tarily yield or pay the ſaid ſubſidies of tunnage and pound- " age, not being granted by parliament, he ſhall likewiſe be " reputed a betrayer of the liberties of England, and an ene- " my to the ſame."

Proclamation to notify the diſſolution of the parliament. March 2. Ibid. Annals.

As the king expected no money from this ſecond ſeſſion, he was very glad to have, as he thought, a plauſible pretence to diſſolve the parliament: ſo, that very day a proclamation was drawn up [a], to give notice of his deſign to diſſolve the parliament on the 10th of March, and that the members might depart about their own affairs.

Nine members cited before the council.

The next day, warrants were directed from the council to Denzil Hollis, ſir Miles Hobart, ſir John Elliot, ſir Peter Hayman, John Selden, William Coriton, Walter Long, William Stroud, Benjamin Valentine, eſquires, commanding their perſonal appearance on the morrow. Four of them, Hollis, Elliot, Coriton, and Valentine, appeared; and refuſing to anſwer out of parliament for what was ſaid and done in the houſe, were committed cloſe priſoners to the Tower. The council ordered at the ſame time the ſtudies of Hollis, Elliot, and Selden to be ſealed up; and a proclamation was publiſhed to apprehend them. It muſt be obſerved that the parliament not being yet diſſolved, theſe men were ſtill actually members of parliament.

Four appear and are ſent to the Tower

On the 10th of March, the king coming to the parliament houſe, made the following ſpeech, addreſſing himſelf only to the lords, there being but few commons preſent, the ſpeaker and houſe of commons not having been called.

[a] The author ſays, publiſhed; but it was not publiſhed til after the 10th of March. Ruſhworth, tom. i. p. 661.

Charles I. 1628-9.

"My lords,

"I Never came here upon ſo unpleaſant an occaſion, it being the diſſolution of a parliament; therefore men may have ſome cauſe to wonder why I ſhould not rather chuſe to do this by commiſſion, it being rather a general maxim of kings to leave harſh commands to their miniſters, themſelves only executing pleaſing things: yet conſidering that juſtice as well conſiſts in reward and praiſe of virtue, as puniſhing of vice, I thought it neceſſary to come here to day, and declare to you and all the world, that it was merely the undutiful and ſeditious carriage in the lower houſe that hath made the diſſolution of this parliament; and you, my lords, are ſo far from being any cauſers of it, that I take as much comfort in your dutiful demeanour, as I am juſtly diſtaſted with their proceedings; yet to avoid their miſtakings, let me tell you, that it is ſo far from me to adjudge all the houſe alike guilty, that I know that there are many there as dutiful ſubjects as any in the world, it being but ſome few vipers among them that did caſt this miſt of undutifulneſs over moſt of their eyes: yet, to ſay truth, there was a good number there that could not be infected with this contagion; inſomuch that ſome did expreſs their duties in ſpeaking, which was the general fault of the houſe the laſt day. To conclude, as thoſe vipers muſt look for their reward of puniſhment, ſo you, my lords, muſt juſtly expect from me that favour and protection, that a good king oweth to his loving and faithful nobility. And now, my lord keeper, do what I have commanded you."

The king's ſpeech at the diſſolution of the parliament. Ruſhworth, tom. i. p. 662. Annals.

Then the lord keeper ſaid, "My lords, and gentlemen of the houſe of commons (though the commons were not called) the king's majeſty doth diſſolve this parliament."

Remarks on the diſſolution of the parliament.

The diſſolution of the parliament was cauſed by the inſolence of the houſe of commons, as the king had juſt told the lords: and this inſolence, this ſeditious carriage conſiſted only in keeping the ſpeaker in his chair by force, after he had notified that the houſe was adjourned by his majeſty's order, till a proteſtation of three very ſhort articles was ſet down in writing. This was the commons offence. And here it muſt be remarked, that there was a great difference between the adjourning and the proroguing or diſſolving of the parliament. The king's power to prorogue and diſſolve was never called in queſtion; before the time of James I. I believe no

king

king had ever thought of adjourning the parliament. King James was the firſt that did it. The commons complained of it as a breach of their privileges; but not finding the lords inclined to diſpute this power with the king, they were forced to give way, though they foreſaw the ill conſequences. Theſe conſequences ſhowed themſelves in the preſent reign. Charles I. taking the advantage of this ſingle precedent eſtabliſhed by the king his father, was not ſatisfied with hindering the parliament from adjourning themſelves at Eaſter, as hath been ſeen, but even adjourned the houſes twice, at a time when the commons were debating upon matters which were not agreeable to him, and alſo prevented the ſpeaker by his ſole authority to put the queſtion when required. It is eaſy to ſee the conſequences of this power to adjourn the houſes. The king could put a ſtop to all the debates of either houſe, by adjourning them whenever they took into conſideration any matters diſpleaſing to him. On the other hand, upon ſuppoſition that the king's right was unqueſtionable, the houſe of commons had diſobeyed his orders and violated his prerogative, which might be attended with no leſs ill conſequences. But the king, ſuppoſing his right as fully eſtabliſhed, without giving himſelf any farther trouble to prove it, reſolved to puniſh the houſe of commons, not only by the diſſolution of the parliament, a puniſhment which concerned the whole nation rather than their repreſentatives, but alſo in cauſing ſome of their moſt active and ſtirring members to be condemned as rebellious and ſeditious. Charles I. 1628-9.

To that end he commanded the judges of the realm to meet and give their opinions upon the queſtions he had to propoſe to them, in order to be guided by their determinations, leſt he ſhould be accuſed of proceeding too arbitrarily. The queſtions, with the judges anſwers, were as follows: 1629.

Queſtions propoſed by the king to the judges, concerning the impriſoned members. April 25. Ruſhworth, tom. i. p. 663.

"1. Whether if any ſubject hath received probable information of any treaſon, or treacherous attempt, or intention againſt the king or ſtate, that ſubject ought not to make known to the king, or his majeſty's commiſſioners, when thereunto he ſhall be required, what information he hath received, and the grounds thereof; to the end the king being truly informed, may prevent the danger? And if the ſaid ſubject in ſuch caſe ſhall refuſe to be examined, or to anſwer the queſtions which ſhall be demanded of him for farther inquiry and diſcovery of the truth, whether it be not a high contempt in him, puniſhable in the ſtar-chamber, as an offence againſt the general juſtice and government of the kingdom?

Charles I. 1629. Sol. The reſolution and anſwer of all the juſtices was, "That "it is an offence puniſhable as aforeſaid, ſo that this do not "concern himſelf, but another, nor draw him to danger of "treaſon or contempt by his anſwer."

"2. Whether it be a good anſwer or excuſe, being thus "interrogated, and refuſing to anſwer, to ſay, that he was "a parliament-man when he received this information, and "that he ſpake thereof in the parliament-houſe; and there-"fore, the parliament being now ended, he refuſed to an-"ſwer to any queſtions but in the parliament-houſe, and not "in any other place?

Sol. The judges did not venture to decide publicly this queſtion: but they gave this anſwer by advice privately to the attorney-general, "That this excuſe being in nature of "a plea, and an error in judgment, was not puniſhable un-"til he were over-ruled in an orderly manner to make an-"other anſwer; and whether the party were brought in Ore "tenus, or by information, for this plea he was not to be "puniſhed."

"3. Whether a parliament-man, committing an offence "againſt the king or council, not in a parliament-way, "might, after the parliament ended, be puniſhed or not?

Sol. All the judges unanimouſly anſwered, "He might, "if he be not puniſhed for it in parliament; for the parlia-"ment ſhall not give privilege to any contra morem parlia-"mentarium, to exceed the bounds and limits of his place "and duty. And all agreed, that regularly he cannot be "compelled out of parliament to anſwer things done in par-"liament, in a parliamentary courſe; but it is otherwiſe "where things are done exorbitantly, for thoſe are not the "acts of a court."

"4. Whether, if one parliament-man alone, ſhall reſolve, "or two or three ſhall covertly conſpire to raiſe falſe ſlan-"ders and rumours againſt the lords of the council and "judges, not with intent to queſtion them in a legal courſe, "or in a parliamentary way, but to blaſt them, and to bring "them to hatred of the people, and the government in "contempt, be puniſhable in the ſtar-chamber after the par-"liament is ended?

Sol. The judges reſolve, "That the ſame was puniſhable "out of parliament, as an offence exorbitant committed in "parliament, beyond the office, and beſides the duty of a "parliament man."

The artifice of theſe queſtions conſiſted; 1. In the king's propoſing them in a general manner, as if they related not

to

to any particular perſon. 2. In his aſcribing to one, two, or three members of the houſe, what was done by a great majority. 3. In ſuppoſing offences, outrages, treaſons againſt himſelf or council, and in deciding queſtions of law before the facts were ſtated [b].

Charles I. 1629.

By virtue of theſe determinations, the attorney-general exhibited in the ſtar-chamber an information againſt the impriſoned members, wherein he greatly aggravated what had paſſed in the lower houſe, when the ſpeaker was kept by force in the chair, but without the leaſt mention of the occaſion.

The attorney-general informs againſt the impriſoned members. Ruſhworth, tom. i. p. 665.

At the ſame time alderman Chambers, one of thoſe that refuſed to pay tunnage and poundage, was alſo proſecuted in the ſtar-chamber, for ſaying, "That the merchants were "more ſcrewed up and wrung in England than in Turky." He was condemned in an exorbitant fine of 2000 l. by which, and ſome other oppreſſions, he was reduced to a very low condition.

Chambers condemned for refuſing tunnage, etc. May 6. Id. p. 670, 671. Annals.

I have already mentioned the artifice uſed by the court to remove from the parliament ſuch gentlemen as they ſuſpected, by making them ſheriffs of their reſpective counties, which obliged them to ſwear to the due execution of their office. Walter Long eſq. of Wiltſhire, being made ſheriff of the county a little before the calling of the laſt parliament, was however elected for Bath, and he preferred this ſervice to that which his office obliged him to. During the ſitting of the parliament Long was left undiſturbed, but after the diſſolution, the court entered an information againſt him in the ſtar-chamber for breaking his oath by abſenting himſelf from his county, and he was fined two thouſand marks.

Long is fined. Ruſhworth, tom. i. p. 684, etc. Append. Annals.

The other members that were in ſeveral priſons, having petitioned the judges to be releaſed upon bail by virtue of the habeas corpus, when the judges were met and ready to deliver their opinions, the priſoners were not brought to the bar according to the rule of court: whereupon, proclamation being made for the bringing them it, the court was informed that they were removed to the Tower by the king's own warrant. Then there came a letter to the judges from the king, ſignifying to the court that the priſoners were not ſuffered to appear before them, by reaſon of their inſolent carriage towards him; that is, inſtead of applying themſelves to the king

The impriſoned members are fined. Ruſhworth, tom. i. p. 679, 680, etc. Append. Annals. June 24.

[b] Judge Whitelock often highly complained againſt this way of ſending to the judges for their opinions beforehand, and ſaid, "That if biſhop Laud "went on in this way, he would "kindle a flame in the nation." Whitelock, p. 12.

Charles I. 1629. for pardon, they had addreſſed themſelves to the judges to be releaſed upon bail, according to law. Not to inſiſt too long upon this affair, I ſhall content myſelf with ſaying, that they were kept in priſon from March till October, without being tried, or obtaining the benefit of the habeas corpus.[c] In fine, the court of king's bench having agreed with one voice, "That the court, as this caſe is, ſhall have juriſdiction, "though the offences were committed in parliament; and "that the impriſoned members ought to plead," judgment was given againſt them upon a Nihil dicit. They were to be impriſoned during the king's pleaſure, and moreover, Eliot was fined two thouſand pounds, Hollis a thouſand marks, and Valentine five hundred pounds.

Ruſhworth, tom. i. p. 662.

The king's conduct, as well in diſſolving the parliament, as in what was done afterwards, could not but breed diſcontent among the people. Murmurs were every where heard; libels were diſperſed about London againſt the king's counſellors, and particularly againſt biſhop Laud[d] and the lord treaſurer Weſton, who were accuſed of putting the king upon theſe violent proceedings. For this reaſon, the king, to prevent greater complaints, publiſhed a declaration to notify to the people the cauſes of the diſſolution of the laſt parliament. Though this declaration be very long, I think it neceſſary to inſert the whole in this place, leſt I ſhould be accuſed of having either paſſed over in ſilence, or too much abridged what may ſerve to juſtify the king. It muſt be obſerved that it was dated the 10th of March, the very day the parliament was diſſolved, though it was not publiſhed that day, but ſome time after.

The king's declaration to all his ſubjects, notifying the cauſes which moved him to diſſolve the laſt parliament.

Ruſhworth, tom. i. Appendix, p. 1.

"HOWSOEVER princes are not bound to give account of their actions but to God alone, yet for the "ſatisfaction of the minds and affections of our loving ſubjects, we have thought good to ſet down thus much by

[c] They refuſed to put in other plea than denying the juriſdiction of the court in this caſe.

[d] The libel againſt biſhop Laud was to this effect: "Laud, look to thyſelf, be aſſured thy life is ſought: as thou art the fountain of wickedneſs, repent of thy monſtrous ſins, before thou be taken out of the world;

"and aſſure thyſelf neither God nor the world can endure ſuch a vile counſellor or whiſperer to live." The other was as bad againſt the lord treaſurer Weſton. Ruſhworth, tom. i. p. 662. — They were ſuppoſed to have perſuaded the king to diſſolve the parliament. Echard, tom. ii. p. 79.

"way

" way of declaration, that we may appear to the world in the Charles I.
" truth and ſincerity of our actions, and not in thoſe colours 1629.
" in which we know ſome turbulent and ill-affected ſpirits
" (to maſque and diſguiſe their wicked intentions, dangerous
" to the ſtate) would repreſent us to the public view.

" We aſſembled our parliament the 17th day of March,
" in the third year of our reign, for the ſafety of religion,
" for ſecuring our kingdoms and ſubjects at home, and our
" friends and allies abroad. And therefore, at the firſt ſit-
" ing down of it, we declared the miſerable afflicted eſtate
" of thoſe of the reformed religion in Germany, France, and
" other parts of Chriſtendom; the diſtreſſed extremities of
" our deareſt uncle the king of Denmark, chaſed out of a
" great part of his dominions; the ſtrength of that party
" which was united againſt us: that (beſides the pope and
" the houſe of Auſtria, and their ancient confederates) the
" French king profeſſed the rooting out of the proteſtant re-
" ligion: that of the princes and ſtates on our party, ſome
" were over-run, others diverted, and ſome diſabled to give
" aſſiſtance. For which, and other important motives, we
" propounded a ſpeedy ſupply of treaſure, anſwerable to the
" neceſſity of the cauſe.

" Theſe things in the beginning were well reſented by
" the houſe of commons, and with ſo much alacrity and
" readineſs, that they agreed to grant a liberal aid: but be-
" fore it was brought to any perfection, they were diverted
" by a multitude of queſtions raiſed among them, touching
" their liberties and privileges, and by other long diſputes,
" that the bill did not paſs in a long time; and by that delay,
" our affairs were put into a far worſe caſe than at the firſt;
" our foreign actions then in hand, being thereby diſgraced
" and ruined for want of timely help.

" In this, as we are not willing to derogate from the me-
" rit and good intentions of thoſe wiſe and moderate men
" of that houſe (to whoſe forwardneſs we attribute it, that it
" was propounded and reſolved ſo ſoon) ſo we muſt needs ſay,
" that the delay of paſſing it when it was reſolved, occa-
" ſioned by cauſeleſs jealouſies, ſtirred up by men of another
" temper, did much leſſen both the reputation and reality
" of that ſupply. And their ſpirit, infuſed into many of the
" commiſſioners and aſſeſſors in the country, hath returned
" up the ſubſidies in ſuch a ſcanty proportion, as is infinite-
" ly ſhort, not only of our great occaſions, but of the pre-
" cedents of former ſubſidies, and of the intentions of all
" well affected men in that houſe.

" In-

Charles I. 1629.

"In those large disputes, as we permitted many of our "high prerogatives to be debated, which in the best times of "our predecessors had never been questioned, without pu- "nishment or sharp reproof; so we did endeavour to have "shortned those debates for winning of time, which would "have much advantaged our great affairs both at home and "abroad. And therefore, both by speeches and messages, "we did often declare our gracious and clear resolution to "maintain, not only the parliament, but all our people, in "their ancient and just liberties, without either violation or "diminution, and in the end, for their full satisfaction and "security, did, by an answer framed in the form by them- "selves desired to their parliamentary petition, confirm their "ancient and just liberties and rights, which we resolve with "all constancy and justice to maintain.

"This parliament howsoever, besides the setling our ne- "cessary supply, and their own liberties, they wasted much "time in such proceedings (blasting our government, as we "are unwilling to remember) yet we suffered them to sit, "until themselves desired us to appoint a time for their re- "cess, not naming either adjournment or prorogation.

"Whereupon, by advice of our council, we resolved to "prorogue and make a session; and to that end prefixed a "day, by which they might (as was meet in so long a sit- "ting) finish some profitable and good laws; and withal "gave order for a gracious pardon to all our subjects; which, "according to the use of former parliaments, passed the "higher house, and was sent down to the commons. All "which being graciously intended by us, was ill entertained "by some disaffected persons of that house, who by their ar- "tifices, in a short time raised so much heat and distemper "in the house, for no other visible cause, but because we "had declared our resolution to prorogue, as our council ad- "vised, and not to adjourn, as some of that house (after our "resolution declared, and not before) did manifest themselves "to affect; that seldom hath greater passion been seen in "that house upon the greatest occasions. And some glances "in the house, but upon open rumours abroad were spread. "That by the answer to the petition we had given away, "not only our impositions upon goods exported and im- "ported, but the tunnage and poundage, (whereas in the "debate and hammering of that petition, there was no "speech or mention in either house concerning those impo- "sitions, but concerning taxes and other charges within the "land: much less was there any thought thereby to debar us

"of

" of tunnage and poundage, which, both before and after Charles I.
" the anſwer to that petition, the houſe of commons in all 1629.
" their ſpeeches and treaties, did profeſs they were willing to
" grant.) And at the ſame time many other miſinterpreta-
" tions were raiſed of that petition and anſwer, by men not
" well-diſtinguiſhing between well-ordered liberty and licen-
" tiouſneſs; as if by our anſwer to that petition, we had let
" looſe the reins of our government. And in this diſtemper
" the houſe of commons, laying aſide the pardon (a thing
" never done in any former parliament) and other buſineſs,
" fit to have been concluded in that ſeſſion, ſome of them
" went about to frame and contrive a remonſtrance againſt our
" receiving of tunnage and poundage, which was ſo far pro-
" ceeded in, the night before the prefixed time for concluding
" the ſeſſion, and ſo haſtened by the contrivers thereof, that
" they meant to have put it to the vote of the houſe the next
" morning, before we ſhould prorogue that ſeſſion. And
" therefore, finding our gracious favours in the ſeſſion, af-
" forded to our people, ſo ill requited, and ſuch ſiniſter ſtrains
" made upon our anſwer to that petition, to the diminution
" of our profit, and (which was more) to the danger of our
" government: we reſolved to prevent the finiſhing of that
" remonſtrance, and other dangerous intentions of ſome ill-
" affected perſons, by ending the ſeſſion the next morning,
" ſome few hours ſooner than was expected; and by our
" own mouth to declare to both houſes the cauſe thereof:
" and for hindering the ſpreading of thoſe ſiniſter interpre-
" tations of that petition and anſwer, to give ſome neceſſary
" directions, for ſettling and quieting our government, until
" another meeting; which we performed accordingly the ſix
" and twentieth of June laſt.

" The ſeſſion thus ended, and the parliament riſen, that
" intended remonſtrance gave us occaſion to look into the
" buſineſs of tunnage and poundage. And therefore, though
" our neceſſities pleaded ſtrongly for us, yet we were not apt
" to ſtrain that point too far, but reſolved to guide our ſelf
" by the practice of former ages, and examples of our moſt
" noble predeceſſors, thinking thoſe counſels beſt warranted,
" which the wiſdom of former ages, concurring with the pre-
" ſent occaſions, did approve; and therefore gave order for
" a diligent ſearch of records: upon which it was found, that
" although in the parliament holden in the firſt year of the
" reign of king Edward the fourth, the ſubſidy of tunnage
" and poundage was not granted unto that king, but was
" firſt granted unto him by parliament in the third year

" of

Charles I. 1629. "of his reign; yet the ſame was accounted and anſwered to "that king, from the firſt day of his reign, all the firſt and "ſecond years of his reign, and until it was granted by par- "liament. And that in the ſucceeding times of king Richard "the third, king Henry the ſeventh, king Henry the eighth, "king Edward the ſixth, queen Mary and queen Elizabeth, "the ſubſidy of tunnage and poundage was not only en- "joyed by every of thoſe kings and queens, from the death "of each of them deceaſing, untill it was granted by parlia- "ment unto the ſucceſſor; but in all thoſe times, (being for "the moſt part peaceable, and not burdened with like "charges and neceſſities, as theſe modern times) the parlia- "ment did moſt readily and chearfully, in the beginning of "every of thoſe reigns, grant the ſame, as a thing moſt ne- "ceſſary for the guarding of the ſeas, ſafety and defence of "the realm, and ſupportation of the royal dignity. And in "the time of our royal father of bleſſed memory, he enjoyed "the ſame a full year, wanting very few days, before his "parliament began; and above a year before the act of par- "liament for the grant of it was paſſed. And yet when the "parliament was aſſembled, it was granted without difficulty. "And in our own time, we quietly received the ſame three "years and more, expecting with patience in ſeveral parliaments "the like grant thereof, as had been made to ſo many of our "predeceſſors; the houſe of commons ſtill profeſſing, that "multitude of other buſineſſes, and not want of willingneſs "on their part, had cauſed the ſettling thereof to be ſo long "deferred. And therefore finding ſo much reaſon and ne- "ceſſity for the receiving of the ordinary duties in the cuſ- "tom-houſe, to concur with the practice of ſuch a ſucceſ- "ſion of kings and queens, famous for wiſdom, juſtice and "government, and nothing to the contrary, but that in- "tended remonſtrance, hatched out of the paſſionate brains "of a few particular perſons; we thought it was ſo far from "the wiſdom and duty of a houſe of parliament, as we could "not think that any moderate and diſcreet man (upon com- "poſed thoughts, ſetting aſide paſſion and diſtemper) could "be againſt receiving of tunnage and poundage; eſpecially "ſince we do, and ſtill muſt purſue thoſe ends, and undergo "that charge for which it was firſt granted to the crown; it "having been ſo long and conſtantly continued to our pre- "deceſſors, as that in four ſeveral acts of parliament, for the "granting thereof to king Edward the ſixth, queen Mary, "queen Elizabeth, and our bleſſed father, it is in expreſs "terms mentioned, to have been had and enjoyed by the ſe-

"veral

" veral kings, named in thoſe acts, time out of mind, by Charles I.
" authority of parliament. And therefore upon theſe reaſons 1629.
" we held it agreeable to our kingly honour, and neceſſary
" for the ſafety and good of our kingdom, to continue the
" receipt thereof, as ſo many of our predeceſſors had done.
" Wherefore when a few merchants (being at firſt but one or
" two) fomented, as it is well known, by thoſe evil ſpirits that
" would have hatched that undutiful remonſtrance, began to
" oppoſe the payment of our accuſtomed duties in the cuſtom-
" houſe, we gave order to the officers of our cuſtoms to go
" on, notwithſtanding that oppoſition, in the receiving of
" the uſual duties, and cauſed thoſe that refuſed to be warned
" to attend at the council-board, that by the wiſdom and
" authority of our council, they might be reduced to obe-
" dience and duty; where ſome of them, without reverence
" or reſpect to the honour and dignity of that preſence, be-
" haved themſelves with ſuch boldneſs and inſolency of ſpeech,
" as was not to be endured by a far meaner aſſembly, much
" leſs to be countenanced by a houſe of parliament, againſt
" the body of our privy-council.

" And as in this we did, what in reaſon and honour was
" fit for the preſent, ſo our thoughts were daily intentive
" upon the re-aſſembling of our parliament, with full in-
" tention on our part, to take away all ill-underſtanding
" between us and our people; whoſe loves, as we deſire to
" continue and preſerve, ſo we uſed our beſt endeavours to
" prepare and facilitate the way to it. And to this end,
" having taken a ſtrict and exact ſurvey of our government,
" both in the church and common-wealth, and what things
" were moſt fit and neceſſary to be reformed: we found in
" the firſt place, that much exception had been taken at a
" book, entitled, Apello Cæſarem, or, An Appeal to Cæſar;
" and publiſhed in the year 1625, by Richard Montague,
" then batchelor of divinity, and now biſhop of Chicheſter;
" and becauſe it did open the way to thoſe ſchiſms and di-
" viſions, which have ſince enſued in the church, we did for
" remedy and redreſs thereof, and for the ſatisfaction of the
" conſciences of our good people, not only by our public
" proclamation, call in that book, which miniſtred matter
" of offence; but to prevent the like danger for hereafter,
" re-printed the articles of religion, eſtabliſhed in the time of
" queen Elizabeth of famous memory; and by a declara-
" tion before thoſe articles, we did tie and reſtrain all opi-
" nions to the ſenſe of thoſe articles, that nothing might be
" left for private fancies and innovations. For we call

" God

Charles I. 1629. "God to record, before whom we ſtand, that it is, and always hath been our heart's deſire, to be found worthy of "that title, which we account the moſt glorious in all our "crown, defender of the faith Neither ſhall we ever give "way to the authoriſing of any thing, whereby any innovation may ſteal or creep into the church; but to preſerve "that unity of doctrine and diſcipline eſtabliſhed in the "time of queen Elizabeth, whereby the church of England "hath ſtood and flouriſhed ever ſince.

"And as we were careful to make up all breaches and "rents in religion at home, ſo did we by our proclamation "and commandment, for the execution of laws againſt prieſts "and popiſh recuſants, fortify all ways and approaches againſt "that foreign enemy; which if it hath not ſucceeded according to our intention, we muſt lay the fault where it is, in "the ſubordinate officers and miniſters in the country, by "whoſe remiſſneſs, jeſuits and prieſts eſcape without apprehenſion; and recuſants from thoſe convictions and penalties "which the law and our commandment would have inflicted "on them. For we do profeſs, that as it is our duty, ſo it "ſhall be our care to command and direct well; but it is the "part of others to perform the miniſterial office. And when "we have done our office, we ſhall account ourſelf, and all "charitable men will account us innocent, both to God and "men. And thoſe that are negligent, we will eſteem as "culpable both to God and us; and therefore will expect "that hereafter they give us a better account.

"And as we have been careful for the ſettling of religion, "and quieting the church; ſo were we not unmindful of "the preſervation of the juſt and ancient liberties of our ſubjects, which we ſecured to them by our gracious anſwer to "the petition in parliament, having not ſince that time done "any act whereby to infringe them. But our care is, and "hereafter ſhall be, to keep them intire and inviolable, as "we would do our own right and ſovereignty, having for "that purpoſe enrolled the petition and anſwer in our courts "of juſtice.

"Next to the care of religion, and of our ſubjects rights, "we did our beſt for the provident and well-ordering of that "aid and ſupply, which was granted us the laſt ſeſſion, "whereof no part hath been waſtfully ſpent, nor put to any "other uſe, than thoſe for which it was deſired and granted; "as upon payment of our fleet and army; wherein our care "hath been ſuch, as we choſe rather to diſcontent our deareſt "friends and allies, and our neareſt ſervants, than to leave

"our

" our ſoldiers and mariners unſatisfied, whereby any vexation Charles I.
" or diſquiet might ariſe to our people. We have alſo, with 1629.
" part of thoſe moneys, begun to ſupply our magazines, and
" ſtores of munition, and to put our navy into a conſtant
" form and order. Our fleet is likewiſe fitting, and almoſt in
" a readineſs, whereby the narrow ſeas may be guarded, com-
" merce maintained, and our kingdom ſecured from all fo-
" reign attempts. Theſe acts of ours might have made this
" impreſſion in all good minds, that we were careful to
" direct our counſels, and diſpoſe our actions, as might moſt
" conduce to the maintenance of religion, honour of our go-
" vernment, and ſafety of our people. But with miſchievous
" men once ill-affected, " ſeu bene, ſeu male facta pre-
" munt;" and whatſoever once ſeemed amiſs, is ever re-
" membred; but good endeavours are never regarded.

" Now all theſe things, that were the chief complaints the
" laſt ſeſſion, being by our princely care ſo ſeriouſly reformed,
" the parliament re-aſſembled the 20th of January laſt. We
" expected, according to the candour and ſincerity of our own
" thoughts, that men would have framed themſelves for the
" affecting of a right underſtanding between us and our peo-
" ple. But ſome few malevolent perſons, like empirics and
" leud artiſts, did ſtrive to make new work, and to have
" ſome diſeaſe on foot, to keep themſelves in requeſt, and to
" be employed and entertained in the cure. And yet to
" manifeſt how much offences have been diminiſhed, the
" committees for grievances, committees for courts of juſtice,
" and committees for trade, have, ſince the ſitting down of
" the parliament, received few complaints, and thoſe ſuch
" as they themſelves have not thought to be of that mo-
" ment or importance, with which our ears ſhould be ac-
" quainted.

" No ſooner therefore was the parliament ſet down, but
" theſe ill-affected men began to ſow and diſperſe their jea-
" louſies, by caſting out ſome glances and doubtful ſpeeches,
" as if the ſubject had not been ſo clearly and well dealt with,
" touching their liberties, and touching the petition anſwered
" the laſt parliament. This being a plauſible theme, thought
" on for an ill purpoſe, eaſily took hold on the minds of
" many, that knew not the practice. And thereupon the
" ſecond day of the parliament, a committee was appointed
" to ſearch, whether the petition and our anſwer thereunto
" were enrolled in the parliament roll, and in the courts at
" Weſtminſter, and in what manner the ſame was done. And
" a day was alſo then appointed, on which the houſe being

Charles I. 1629. "reſolved into a committee, ſhould take into conſideration "thoſe things, wherein the liberty of the ſubject had been in- "vaded, againſt the petition of right. This, though it pro- "duced no other effect of moment or importance, yet was "ſufficient to raiſe a jealouſy againſt our proceedings, in "ſuch as were not well acquainted with the ſincerity and "clearneſs of them. There followed another of no leſs "ſkill; for although our proceeding before the parliament, "about matters of religion, might have ſatisfied any mo- "derate men, of our zealous care thereof, (as we are ſure it "did the moſt) yet, as bad ſtomachs turn the beſt things into "their own nature, for want of good digeſtion; ſo theſe di- "ſtempered perſons have done the like of our good intents, "by a bad and ſiniſter interpretation: for, when they did "obſerve, that many honeſt and religious minds in that "houſe did complain of thoſe dangers that did threaten the "church; they likewiſe took the ſame word in their mouth, "and their cry likewiſe was, "templum domini, templum "domini," when the true care of the church never came in- "to their hearts: and what the one did out of zeal unto re- "ligion, the other took up as a plauſible theme, to deprave "our government, as if we, our clergy and council, were "either ſenſeleſs or careleſs of religion, and this wicked prac- "tice hath been, to make us ſeem to walk before our peo- "ple, as if we halted before God.

"Having, by theſe artifices, made a jealous impreſſion "in the hearts of many; and a day being appointed to treat "of the grant of tunnage and poundage, at the time pre- "fixed, all expreſs great willingneſs to grant it. But a new "ſtrain is found out, that it could not be done without great "peril to the right of the ſubject, unleſs we ſhould diſclaim "any right therein, but by grant in parliament; and ſhould "cauſe all thoſe goods to be reſtored, which, upon com- "mandment from us, or our council, were ſtayed by our "officers until thoſe duties were paid, and conſequently "ſhould put ourſelves out of the poſſeſſion of the tunnage "and poundage, before they were granted; for elſe, it was "pretended, the ſubject ſtood not in fit caſe to grant it. A "fancy and cavil raiſed of purpoſe to trouble the buſineſs; it "being evident, that all the kings before named did receive "that duty, and were in actual poſſeſſion of it, before, and "at the very time when it was granted to them by parlia- "ment. And although we, to remove all difficulties, did "from our own mouth, in thoſe clear and open terms, that "might have ſatisfied any moderate and well-diſpoſed minds,

"de-

" declare, that it was our meaning, by the gift of our people, Charles I.
" to enjoy it; and that we did not challenge it of right, but 1629.
" took it "de bene eſſe," ſhewing thereby, not the right,
" but the neceſſity by which we were to take it, (wherein
" we deſcended, for their ſatisfaction, ſo far beneath our-
" ſelf, as we are confident never any of our predeceſſors did
" the like, or was the like ever required or expected from
" them.) Yet for all this, the bill of tunnage and poundage
" was laid aſide, upon pretence, they muſt firſt clear the
" right of the ſubject therein; under colour whereof, they
" entertain the complaints, not only of John Rolles, a member
" of their houſe, but alſo of Richard Chambers, John Foukes,
" and Bartholomew Gilman, againſt the officers of our cuſ-
" toms, for detaining their goods, upon refuſal to pay the
" ordinary duty, accuſtomed to be paid for the ſame. And
" upon theſe complaints, they ſend for the officers of the
" cuſtoms, enforcing them to attend day after day, by the
" ſpace of a month together; they cauſe them to produce
" their letters patents under our great ſeal, and the warrants
" made by our privy-council, for levying of thoſe duties.
" They examine the officers upon what queſtions they pleaſe,
" thereby to entrap them for doing our ſervice and command-
" ment. In theſe and other their proceedings, becauſe we
" would not give the leaſt ſhew of interruption, we endured
" long with much patience, both theſe and ſundry other
" ſtrange and exorbitant incroachments and uſurpations, ſuch
" as were never before attempted in that houſe.

" We are not ignorant how much that houſe hath of late
" years endeavoured to extend their privileges, by ſetting up
" general committees for religion, for courts of juſtice, for
" trade, and the like; a courſe never had until of late: ſo
" as, where in former times the knights and burgeſſes were
" wont to communicate to the houſe ſuch buſineſs as they
" brought from their countries; now there are ſo many chairs
" erected, to make enquiry upon all ſorts of men, where
" complaints of all ſorts are entertained, to the unſufferable
" diſturbance and ſcandal of juſtice and government, which
" having been tolerated a while by our father and ourſelf,
" hath daily grown to more and more height; inſomuch that
" young lawyers ſitting there, take upon them to decry the
" opinions of the judges; and ſome have not doubted to
" maintain, that the reſolutions of that houſe muſt bind the
" judges; a thing never heard of in ages paſt. But, in this
" laſt aſſembly of parliament, they have taken on them much
" more than ever before.

Charles I. 1629. "They ſent meſſengers to examine our attorney-general, "(who is an officer of truſt and ſecrecy) touching the exe- "cution of ſome commandments of ours, of which, with- "out our leave firſt obtained, he was not to give account to "any but ourſelf. They ſent a captious and directory meſ- "ſage to the lord-treaſurer, chancellor, and barons of the "exchequer, touching ſome judicial proceedings of theirs "in our court of exchequer.

"They ſent meſſengers to examine upon ſundry queſtions, "our two chief juſtices, and three other of our judges, "touching their judicial proceedings at the gaol-delivery at "Newgate, of which they are not accountable to the houſe "of commons.

"And whereas ſuits were commenced in our court of "ſtar-chamber, againſt Richard Chambers, John Foukes, "Bartholomew Gilman, and Richard Philips, by our at- "torney-general, for great miſdemeanors; they reſolved "that they were to have privilege of parliament againſt us "for their perſons, for no other cauſe, but becauſe they "had petitions depending in that houſe; and (which is more "ſtrange) they reſolved that a ſignification ſhould be made "from that houſe by a letter, to iſſue under the hand of "their ſpeaker, unto the lord-keeper of our great-ſeal, that "no attachment ſhould be granted out againſt the ſaid "Chambers, Foukes, Gilman, or Philips, during their ſaid "privilege of parliament. Whereas it is far above the "power of that houſe, to give directions to any of our "courts at Weſtminſter, to ſtop attachments againſt any "man, though never ſo ſtrongly privileged; the breach of "privilege being not in the court that grants, but in the "party or miniſter that puts in execution ſuch attachments. "And therefore, if any ſuch letter had come to the lord- "keeper, as it did not, he ſhould have highly offended us "if he had obeyed it. Nay, they went ſo far, as they "ſpared not the honour of our council-board, but examined "their proceedings in the caſe of our cuſtomers, interro- "gating what this or that man of our council ſaid, in di- "rection of them in the buſineſs committed to their charge. "And when one of the members of that houſe, ſpeaking of "our counſellors, ſaid, we had wicked counſel; and another "ſaid, That the council and judges ſought to trample under "feet the liberty of the ſubject; and a third traduced our "court of ſtar-chamber, for the ſentence given againſt Sa- "vage, they paſſed without check or cenſure by the houſe. "By which may appear how far the members of that houſe

"have

" have of late ſwollen beyond the rules of moderation, and Charles I.
" the modeſty of former times; and this under pretence of 1629.
" privilege and freedom of ſpeech, whereby they take liberty
" to declare againſt all authority of council and courts at
" their pleaſure.

" They ſent for our ſheriff of London to examine him in
" a cauſe whereof they had no juriſdiction; their true and
" antient juriſdiction extending only to their own members,
" and to the conſervation of their privileges, and not to the
" cenſure of foreign perſons and cauſes, which have no re-
" lation to their privileges, the ſame being but a late inno-
" vation. And yet upon an enforced ſtrain of a contempt
" for not anſwering to their ſatisfaction, they commit him
" to the Tower of London, uſing that outward pretext for
" a cauſe of committing him, the true and inward cauſe be-
" ing, for that he had ſhewed himſelf dutiful to us and our
" commandments, in the matter concerning our cuſtoms.

" In theſe innovations (which we will never permit again)
" they pretended indeed our ſervice; but their drift was, to
" break, by this means, through all reſpects and ligaments
" of government, and to erect an univerſal overſwaying
" power to themſelves, which belongs only to us, and not
" to them.

" Laſtly, In their proceedings againſt our cuſtomers; they
" went about to cenſure them as delinquents, and to puniſh
" them, for ſtaying ſome goods of ſome factious merchants,
" in our ſtore-houſe, for not paying thoſe duties which them-
" ſelves had formerly paid, and which the cuſtomers, with-
" out interruption, had received of all other merchants,
" many years before, and to which they were authorized,
" both by our great ſeal, and by ſeveral directions and com-
" mandments from us and our privy-council.

" To give ſome colour to their proceedings herein, they
" went about to create a new privilege, (which we will
" never admit) That a parliament-man hath privilege for
" his goods againſt the king; the conſequence whereof would
" be, That he may not be conſtrained to pay any duties to
" the king, during the time of privilege of parliament. It
" is true, they would have this caſe to have been between
" the merchants, and our farmers of our cuſtoms, and have
" ſerved them from our intereſt and commandment, thereby
" the rather to make them liable to the cenſure and puniſh-
" ment of that houſe. But on the other ſide, we holding
" it both unjuſt and diſhonourable, to withdraw ourſelf from
" our officers, in any thing they did by our commandment,

Charles I. 1629.

" or to diſavow any thing that we had enjoined to be done; " upon Monday the 23d of February, ſent a meſſage unto " them by ſecretary Coke, thanking him for the reſpect they " had ſhewed, in ſevering the intereſt of our farmers from " our own intereſt and commandment. Nevertheleſs, we " were bound in honour to acknowledge a truth, that, what " was done by them, was done by our expreſs command- " ment and direction; and if for doing thereof our farmers " ſhould ſuffer, it would highly concern us in honour. " Which meſſage was no ſooner delivered unto them, but " in a tumultuous and diſcontented manner they called, " Adjourn, adjourn; and thereupon, without any cauſe given " on our part, in a very unuſual manner, adjourned until " the Wedneſday following.

" On which day, by the uniform wiſdom of our privy- " council, we cauſed both houſes to be adjourned until the " ſecond day of March; hoping that in the mean time, a " better and more right underſtanding might be begotten be- " tween us and the members of that houſe, whereby the par- " liament might come to an happy iſſue.

" But underſtanding by good advertiſement, that their diſ- " content did not in that time digeſt and paſs away; we " reſolved to make a ſecond adjournment until the 10th of " March; which was done, as well to take time to ourſelf, " to think of ſome means to accommodate thoſe difficulties, " as to give them time to adviſe better; and accordingly, " we gave commandment for a ſecond adjournment in both " houſes, and for ceſſation of all buſineſs till the day appoint- " ed; which was very dutifully obeyed in the higher-houſe, " no man contradicting or queſtioning it. But when the ſame " commandment was delivered in the houſe of commons by " their ſpeaker, it was ſtraitways contradicted, and although " the ſpeaker declared unto them, it was an abſolute right " and power in us to adjourn, as well as to prorogue or diſ- " ſolve; and declared and read unto them divers precedents " of that houſe, to warrant the ſame; yet our command- " ment was moſt contemptuouſly diſobeyed; and ſome riſing " up to ſpeak, ſaid, They had buſineſs to do before the " houſe ſhould be adjourned."

Here the king inſerted a long account of what paſſed in the houſe, when the ſpeaker was kept by force in the chair, whilſt the remonſtrance was drawing. This account is much aggravated, being taken word for word from the attorney-general's

general's information againſt Elliot. But it contains in ſub- Charles I.
ſtance no more than what hath been ſaid before. 1629.

"Whilſt the duke of Buckingham lived, he was entituled "to all the diſtempers and ill-events of former parliaments; "and therefore much endeavour was uſed to demoliſh him, "as the only wall of ſeparation between us and our people. "But now he is dead, no alteration was found among thoſe "envenomed ſpirits, which troubled then the bleſſed har- "mony between us and our ſubjects, and continue ſtill to "trouble it. For now, under the pretence of public care "of the common-wealth, they ſuggeſt new and cauſeleſs "fears, which in their own hearts they know to be falſe; "and deviſe new engines of miſchief, ſo to caſt a blindneſs "upon the good affections of our people, that they may not "ſee the truth and largeneſs of our heart towards them. So "that now it is manifeſt, the duke was not alone the mark "theſe men ſhot at, but was only as a near miniſter of ours, "taken up, on the bye, and in their paſſage to their more "ſecret deſigns; which were only to caſt our affairs into a "deſperate condition, to abate the powers of our crown, "and to bring our government into obloquy; that in the "end all things may be overwhelmed with anarchy and con- "fuſion.

"We do not impute theſe diſaſters to the whole houſe of "commons, knowing that there were amongſt them many "religious, grave, and well-minded men; but the ſincerer "and better part of the houſe was overborn, by the prac- "tices and clamours of the other, who, careleſs of their "duties, and taking advantage of the times, and our ne- "ceſſities, have enforced us to break off this meeting; which "had it been anſwered with like duty on their parts, as it "was invited and begun with love on ours, might have "proved happy and glorious, both to us and this whole na- "tion.

"We have thus declared the manifold cauſes we had to "diſſolve this parliament, whereby all the world may ſee "how much they have forgotten their former engagements "at the entry into the war, themſelves being perſuaders to "it; promiſing to make us feared by our enemies, and "eſteemed by our friends. And how they turned the ne- "ceſſities grown by that war, to enforce us to yield to con- "ditions incompatible with monarchy.

"And now that our people may diſcern that theſe provo- "cations of evil men (whoſe puniſhments we reſerve to a

Charles I. 1629. due time) have not changed our good intentions to our ſubjects, we do here profeſs to maintain the true religion and doctrine eſtabliſhed in the church of England, without admitting or conniving at any back-ſliding, either to popery or ſchiſm. We do alſo declare, That we will maintain the antient and juſt rights and liberties of our ſubjects, with ſo much conſtancy and juſtice, that they ſhall have cauſe to acknowledge, That under our government and gracious protection, they live in a more happy and free eſtate than any ſubjects in the chriſtian world. Yet let no man hereby take the boldneſs to abuſe that liberty, turning it to licentiouſneſs, nor miſinterpret the petition, by perverting it to a lawleſs liberty, wantonly or frowardly, under that or any other colour, to reſiſt lawful and neceſſary authority. For as we will maintain our ſubjects in their juſt liberties, ſo we do and will expect, that they yield as much ſubmiſſion and duty to our royal prerogatives, and as ready obedience to our authority and commandments, as hath been performed to the greateſt of our predeceſſors.

"And for our miniſters, we will not that they be terrified by thoſe harſh proceedings, that have been ſtrained againſt ſome of them. For as we will not command any thing unjuſt or diſhonourable, but ſhall uſe our authority and prerogatives for the good of our people; ſo we will expect, that our miniſters obey us, and they ſhall aſſure themſelves we will protect them.

"As for our merchants, we let them know we ſhall always endeavour to cheriſh and enlarge the trade of ſuch as be dutiful, without burthening them beyond what is fitting: But the duty of five in the hundred, for guarding the ſeas, and defence of the realm, to which we hold ourſelves ſtill obliged, (and which duty hath continued without interruption ſo many ſucceſſions of ages) we hold no good or dutiful ſubject will deny it, being ſo neceſſary for the good of the whole kingdom. And if any factious merchant will affront us, in a thing ſo reaſonable, and wherein we require no more, nor in no other manner, than ſo many of our predeceſſors have done, and have been dutifully obeyed: let them not deceive themſelves, but be aſſured, that we ſhall find honourable and juſt means to ſupport our eſtate, vindicate our ſovereignty, and preſerve the authority which God hath put into our hands.

"And

" And now having laid down the truth and clearneſs of our proceedings, all wiſe and diſcreet men may eaſily judge of thoſe rumours, and jealous fears, that are maliciouſly and wickedly bruited abroad, and may diſcern by examination of their own hearts, whether (in reſpect of the free paſſage of the goſpel, indifferent and equal adminiſtration of juſtice, freedom from oppreſſion, and the great peace and quietneſs which every man enjoyeth under his own vine and fig-tree) the happineſs of this nation can be paralleled by any of our neighbour-countries; and if not, then to acknowledge their own bleſſedneſs, and for the ſame be thankful to God, the author of all goodneſs." Charles I. 1629.

This declaration, or rather apology, produced not the effect the king expected. It was very difficult for the king to perſuade the people, that a dozen members of parliament had formed a project to ſubvert the government, to introduce anarchy, to uſurp the royal authority, without any appearance of the leaſt advantage to themſelves or others. It would have been ſtill more ſtrange, that ſuppoſing the king ſo juſt a prince, and ſo tender of his people, as he deſired to be thought, theſe men ſhould have had ſufficient credit, to bring over the majority of the commons to their ſentiments. On the other hand, the king defended himſelf very weakly, in his declaration, on the articles concerning recuſants, tunnage, and poundage, and in general, on the cauſes of the diſſolution of the parliament. For in aggravating the commons fault, in not inſtantly obeying the adjournment, he not only ſuppoſed his power inconteſtable, though it was not ſo, but alſo omitted the immediate cauſe of their non-compliance, namely, the ſpeaker's refuſal, by his expreſs command, to put the queſtion, which was a manifeſt breach of the freedom of parliament. Complaints therefore and murmurs continued more than ever, notwithſtanding this apology. It was publicly ſaid, the king intended utterly to deſtroy the privileges of the parliament, and the liberties of the people; and what was done afterwards againſt the impriſoned members, helped not to undeceive the nation. It was added, that trade was ruined, and religion in danger, and that the kingdom was going to be enſlaved, if theſe miſchiefs were not redreſſed by a new parliament. The king being informed of theſe rumours, publiſhed a proclamation to this effect:

Remark on this declaration.

Ruſhworth, t. ii. p. 3. Annals, p. 361.

Charles I. 1629.

Proclamation againſt falſe rumours touching parliaments. March 27. Ruſhworth, t. ii. p. 3. Act. Pub. xix. p. 62.

"THAT, notwithſtanding his majeſty's late declaration for ſatisfying the minds and affections of his loving ſubjects, ſome ill-diſpoſed perſons do ſpread falſe and pernicious rumours abroad, as if the ſcandalous and ſeditious propoſition in the houſe of commons, made by an outlawed man, deſperate in mind and fortune, and tumultuouſly taken up by ſome few, after that, by his majeſty's royal authority, he had commanded their adjournment, had been the vote of the whole houſe, whereas the contrary is the truth; for it was then decried by the wiſeſt and beſt affected, and ſince diſavowed, upon examination, by ſuch as were ſuſpected to have conſented thereunto, and affirmed, as well by them, as others who ſerved in the houſe that day, to be a thing of a moſt wicked and dangerous conſequence, to the good eſtate of this kingdom; and it appeareth to be ſo, by thoſe impreſſions which this falſe rumour hath made in mens minds, whereby, out of cauſeleſs fears, the trade of the kingdom is diſturbed, and merchants diſcouraged to continue their wonted traffic. His majeſty hath thought it expedient, not only to manifeſt the truth thereof, but to make known his royal pleaſure; that thoſe who raiſe or nouriſh falſe reports, ſhall be ſeverely puniſhed; and ſuch as chearfully go on with their trade, have all good encouragement; not purpoſing to over-charge his ſubjects by any *new* burthens, but to ſatisfy himſelf with thoſe duties that were received by the king his father of bleſſed memory, which his now majeſty neither can nor will diſpenſe withal; but ſhall eſteem them unworthy of his protection who ſhall deny the ſame, his majeſty intending to employ it for the defence of his kingdom, dominion of the ſeas, and ſafe-guard of the merchants, eſpecially by ſuch ſhipping as are now making ready, and ſuch farther preparations for aid of his friends and allies, as need ſhall require. And whereas for ſeveral ill ends, the calling again of a parliament is divulged, howſoever his majeſty hath ſhewed by his frequent meeting with his people, his love to the uſe of parliaments; yet the late abuſe having for the preſent driven his majeſty unwillingly out of that courſe, he ſhall account it preſumption for any to preſcribe any time to his majeſty for parliaments; the calling, continuing, and diſſolving of which, is always in the king's own power. And his majeſty ſhall be more inclinable to meet in parliament again, when his people ſhall ſee *more* clearly into his intents and actions; when ſuch as have bred this interruption

" terruption ſhall receive their condign puniſhment, and thoſe Charles I.
" who are miſled by them, and by ſuch ill reports as are 1629.
" raiſed upon this occaſion, ſhall come to a better underſtand-
" ing of his majeſty and themſelves."

About this time appeared a writing, entitled, " A propo- A writing
" ſition for his majeſty's ſervice, to bridle the impertinency publiſhed
" of parliaments." Very probably, if this writing had been againſt the king.
preſented to the king, it would never have been publiſhed. Ruſhworth.
Accordingly, it was afterwards declared in the ſtar-chamber tom. i.
to be a ſeditious libel [e]. It ſerves, however, to ſhow, that Appendix.
many people thought, the king was taking meaſures to throw p. 12.
off the yoke of parliaments, ſince he evidently followed ſome Annals.
of the maxims propoſed in his writing. There was even no
likelihood of his intending to call another parliament, till he
had found means of having the commons more at command,
as he had plainly intimated in his laſt proclamation.

Rochel being taken, the king did not think proper to con- The king
tinue a war with France, which could bring him no advan- makes a
tage, nor ſerve him for pretence to aſk money of the parlia- peace with
ment, ſince he was determined not to call one. As France Ruſhworth.
had no quarrel with him, but concerning the queen's domeſ- t. ii. p. 24.
tics, which was not a ſufficient motive to continue the war, Act. Pub.
a peace was quickly concluded between the two crowns, by xix. p. 66,
the mediation of the Republic of Venice. It was ſigned the 86---88.
14th of April, about a month after the diſſolution of the par- Annals.
liament. France ſo little cared for what had paſſed concern-
ing the queen's domeſtics, that ſhe was ſatisfied with inſert-
ing this article in the treaty of peace: " The articles and
" contract of the marriage of the queen of Great Britain
" are to be confirmed faithfully. And as for the ſaid queen's
" houſhold, if there be any thing to be added or diminiſh-
" ed, it ſhall be done by a mutual conſent freely and willing-
" ly, as it may be judged fit and convenient for the ſervice of September 6.
" the ſaid queen." The peace was ſworn in September fol- Act. Pub.
lowing. xix. p. 101.

The king had now freed himſelf from the yoke of the Remark on
parliament, and intended not to reſume it. But withal, he the riches of
had deprived himſelf of the ſupplies of money, which the the kings of England.

[e] The project contained in this writing, was framed in 1613, by ſir Robert Dudley, ſon of the earl of Leiceſter. However, the earls of Bedford, Somerſet, and Clare, Sir Robert Cotton, Mr. Selden, and Mr. St. John were committed for diſperſing it, and queſtioned in the ſtar-chamber; but ſir David Fowles upon oath diſcovered the author, and ſo ended this buſineſs. Annals, p. 361. Whitelock, p. 14.

par-

Charles I. 1629. parliaments were wont to grant to the kings, not only on urgent and extraordinary occaſions, but alſo as marks of affection and zeal, when the people were pleaſed with the government. One may venture to ſay, no prince in Europe equals in riches a king of England, who is beloved by his ſubjects. Not only his ordinary revenues, if well managed, are more than ſufficient to enable him to keep a ſplendid and magnificent court; but it is properly the ſovereign alone who has never any need to heap up money againſt any future emergencies. He finds, at all times, in the purſes of his ſubjects, and by a free gift, whatever is neceſſary to ſupport the honour of his ſtate. There is no potentate in Europe that can, like him, be ſure of never wanting money. But what muſt he do to gain the love of his people? Why, a thing the moſt practicable and eaſy, the moſt juſt, the moſt adapted to the welfare of his kingdom, and to his own intereſt. In a word, he muſt obſerve the laws to which himſelf and predeceſſors have conſented, and which were deemed neceſſary for king and people. The pride therefore and inſatiable avarice of favorites and miniſters, are the only things that make him ſometimes loſe the advantages naturally flowing from the conſtitution of the government. Theſe men, impatient of any bounds to their lawleſs ambition of governing with an abſolute ſway, ſeek all poſſible means to inſtill into their maſter a deſire to ſet himſelf above the laws, and to become like other monarchs. That is, they do all that lies in their power to change the king's true and ſolid happineſs into real miſery. For though a king of England ſhould render himſelf abſolute, he could never, by oppreſſion and violence, obtain from his people what he may freely receive, by ſubmitting to the laws and conſtitution of the government. We have ſeen in the two late reigns of William III. and queen Anne, and we daily ſee in that of the prince on the throne, ſuch undeniable proofs of what I advance, that I think it needleſs to ſay any more. I ſhall only obſerve, that the kings of England, who were the moſt famous and moſt eſteemed, as Edward I. Edward III. Henry V. Henry VIII. and Elizabeth, conſtantly followed the ſame maxims, and thereby rendred their reigns proſperous and happy. Whereas James I. Charles I. Charles II. James II. who took a contrary courſe, became miſerable, and performed nothing either for their own or the nation's glory.

Cauſes of the people's diſcontent.

Charles I. like the king his father, was very fond of arbitrary power, and had no favorites or miniſters, but what were of the ſame principles. His privy-council became by degrees an abſolute court, which thought itſelf above the laws. The ſtar-

ſtar-chamber was another court, the moſt rigorous that ever was, the ſeverity whereof fell chiefly upon thoſe who pretended to diſpute the prerogative-royal. The high-commiſſion perfectly ſeconded the council and ſtar-chamber, and under colour of putting a ſtop to ſchiſm, oppreſſed, as puritans, thoſe that refuſed to ſubmit to a deſpotic power. In ſhort, the judges of the realm being all choſen by the court, and devoted to the king, omitted no opportunity to ſupport the prerogative-royal, and raiſe it as high as the king deſired. The parliament only could cure theſe diſorders, but the king was determined to call no more, the maxims of the parliament being diametrically oppoſite to his. He thought the parliament had much incroached upon the prerogative-royal in the foregoing reigns, and the parliament could not help dreading the conſequences of the general maxims, which the king was endeavouring to introduce into the government; and the rather, as they ſaw plainly, theſe conſequences were not bare ſpeculations, but were put in practice. This dread induced them to deny the king ſome things readily granted by former parliaments to his predeceſſors, becauſe they were free from any ſuch fears. But as the nation in general was more inclined to be ruled by the parliament than by the court, theſe contraſts bred in the minds of the people a diſtaſte to the court, the fatal effects whereof the king afterwards experienced. Charles I. 1629.

By the diſſolution of the late parliament, and by his reſolution never to call another, which was univerſally known, the king had not only deprived himſelf of the extraordinary ſupplies he might have expected from the commons, but had alſo done himſelf great prejudice with reſpect to his treaſury. The five ſubſidies granted by the parliament, fell very ſhort of what was expected. As every man's quota towards a ſubſidy is ſettled by commiſſioners in each county, and by aſſiſtants belonging to the towns and villages, in proportion to his poſſeſſions, either poverty, or decay of trade, or ſome ſuch excuſe, was pleaded to leſſen the tax. On the other hand, the commiſſioners and aſſiſtants not being inclined to the court, allowed very readily theſe excuſes, and appeared much more apt to favour their countrymen than the king. This occaſioned a great diminution of the uſual value of the ſubſidies: moreover, tunnage and poundage were not paid without force. There was continual occaſion to uſe violence, to ſeize the effects, and impriſon the merchants, to oblige them to pay what the houſe of commons had declared illegal. Beſides, they practiſed a thouſand artifices to defraud the king of a duty, which they thought was unjuſtly laid upon them. To cure

Leſſening of the king's revenues.

Charles I. 1629.

cure theſe inconveniencies, the council was forced to give very ſtrict orders, even to the impowering the officers of the cuſtoms to enter into any ſhip, veſſel, or houſe, and to ſearch in any trunk or cheſt, and break any bulk whatſoever, in default of the payment of cuſtoms. But beſides, that this had never been practiſed before, another inconvenience roſe. Theſe officers, under colour of ſearching, uſed many oppreſſions and rogueries, which cauſed the people ſtill the more to exclaim. In a word, the king had not half the profit from tunnage and poundage that he received before his quarrel with the parliament, and the people were much more diſſatisfied than ever. But to hinder their diſcontent from turning into rebellion, the council gave ſtrict orders to have the militia, both horſe and foot, compleated, armed, and inſtructed in the exerciſe of arms [f]. It was thereby intended to intimidate the people, and keep them in awe, whilſt on the other hand, they were amuſed with orders for the rigorous execution of the laws againſt recuſants. But theſe orders muſt have been neglected, ſince the people's complaints upon that ſubject never ceaſed during the whole courſe of this reign.

A very ſtrict order about the cuſtoms. Ruſhworth, t. ii. p. 8, 9. Annals, p. 365.

Another concerning the militia. Ruſhworth. Ibid.

p. 11. Annals.

Several monopolies, which bring in money to the king. Ruſhworth, t. ii. p. 12, 303.

Mean while, as the king wanted money, and it was eaſy to foreſee, that his ordinary revenues would not be ſufficient to ſupply his expences, the miniſters found no better way to increaſe the king's revenue, than by granting monopolies. That is, the king, by his letters-patents, formed companies, to whom alone he gave the privilege of ſelling certain goods or wares, and who were to pay him for it ſuch a yearly revenue. This was directly contrary to the rights of the people, and very deſtructive to trade: but in thoſe days, the good of the nation was what the court had leaſt in view. This abuſe went ſo far, that in a manner all ſort of commodities were monopolized, and the ſale engroſſed by ſome company, even to old rags. I ſhall not here ſpecify theſe monopolies, becauſe, not having been all eſtabliſhed at once, they will perhaps be mentioned hereafter [g].

[f] And for the exerciſing, and keeping the militia in good order, each county was aſſeſſed at a certain rate for the entertainment of a muſter-maſter. Ruſhworth, tom. ii. p. 10.—An order was alſo made for raiſing money, by compounding with recuſants. Idem. p. 13.—And a commiſſion for confirming defective titles, p. 49.

[g] Thus, as the lord Clarendon obſerves, "unjuſt projects of all kinds, "many ridiculous, many ſcandalous, "all very grievous, were ſet on foot; "the envy and reproach of which came "to the king, the profit to other men; "inſomuch that of 200,000l. drawn "by theſe ways in one year, ſcarce 1500l. "came to the king." Tom. i. p. 53.—This year died Sir John Elliot, George Carew earl of Totneſs, a commander in the Iriſh wars under queen Elizabeth, and John Speed the hiſtorian.—May 7, Sir Edward Herbert was created baron Herbert of Cherbury. Rymer's Fœd. tom. xix. p. 132.

Since

Since the king had undertaken to break with France, the Spaniſh war was no more talked upon than if there had been no ſuch thing, though in all the ſpeeches to the foregoing parliaments, and in all the meſſages to the commons, he had endeavoured to ſhow how neceſſary this war was for the welfare of all Europe, and eſpecially of England. He had frequently inſinuated, that England and Ireland were in ſo great danger of being invaded by the Spaniards, that it was not poſſible to be too ſpeedy in applying a remedy to ſo urgent an evil. And yet, the Spaniards never made any attempt that might confirm the fears, the king would have inſpired the parliament with. The king of Spain, contented with not being attacked, undertook nothing againſt England, knowing he was in no danger from that quarter. However, after the concluſion of the peace between France and England, he thought proper to end the war with the Engliſh, to which he met with no obſtacle, Charles not being in condition to continue it. So a peace between the two crowns, after ſome negotiations, was concluded in November 1630.

Charles I. 1630.

Treaty about a peace with Spain. Act. Pub. xix. p. 219, 226. Ruſhworth, t. ii. p. 75.

Concluſion of the peace. Novemb. 5.

Preſbyterianiſm had lately gained ground in England, notwithſtanding the ſtrong oppoſition of the biſhops and particularly of Laud biſhop of London, ſworn enemy to the puritans. This prelate ſeldom miſſed any opportunity to ſhow his hatred to them, and ſuch opportunities very frequently offered. Beſides that he was the king's moſt intimate counſellor, eſpecially for eccleſiaſtical matters, he had almoſt the ſole direction of the high-commiſſion, after the archbiſhop of Canterbury was excluded on account of Sibthorp's ſermon. He ſo managed therefore, to prevent the growth of preſbyterianiſm, that the king ſent certain inſtructions to the archbiſhops, with a command to impart them to the biſhops of their provinces, in order to their being obſerved. The chief end of theſe inſtructions was to hinder any preſbyterian miniſter from creeping into the church of England, and to diſcover the careleſs obſervers of the rites preſcribed by the canons. Laud himſelf was the author of theſe inſtructions, which were agreeable to ſome conſiderations, for the better ſettling of the church-government, preſented by him to the king ſome time before. As the preſbyterians were not ignorant from whence the evil ſprung, they entertained an implacable enmity to that prelate, the effects whereof they made him feel afterwards, when they found an opportunity.

The king's inſtructions to the biſhops againſt the preſbyterians. Act. Pub. xix. p. 470. Ruſhworth, t. ii. p. 7, 30. Annals, p. 364. Collier's Ec. Hiſt.

This year the king had the ſatisfaction of having a ſon called Charles, of whom the queen was delivered the 29th of May.

Birth of prince Charles.

Guſtavus

Charles I. 1630. Guſtavus Adolphus king of Sweden, had expreſſed a great deſire to relieve Germany, oppreſſed by the emperor, but his wars with Poland had prevented the execution of his deſign. Upon that account the kings of France and England joined together to procure a peace between theſe two crowns, in which they ſucceeded at laſt. The French king's aim was to humble the houſe of Auſtria by this diverſion, and Charles hoped, that by the king of Sweden's means, he ſhould recover the Palatinate for his brother-in-law. The peace, I have juſt mentioned, was no ſooner concluded, than the king of Sweden prepared to enter Germany at the head of a powerful army. At the ſame time, he made a private agreement with the king of England, whereby Charles engaged to furniſh him with ſix thouſand men, in the marquiſs of Hamilton's name, as if that lord had raiſed theſe troops at his own charge. Theſe articles ſeldom deceive: but however they give the princes who uſe them, the aſſurance to ſay, it is done againſt their conſent. That I may not return to this affair, I ſhall ſay here in two words, Charles was the dupe of Guſtavus. When the Swede, after ſeveral victories over the Imperialiſts, was able in his turn to aſſiſt the king of Bohemia, he would have laid ſuch hard terms upon him, that he could not think of accepting them. So Charles withdrew his troops, which had done good ſervice in the war, and recalled Sir Henry Van, who was with the king of Sweden in quality of ambaſſador. Thus ended this ſort of league, the particulars whereof I think it needleſs to relate, ſince it cauſed no alteration in the affairs of this reign.

Negotiation with the king of Sweden. Ruſhworth, t. ii. p. 35, 36, 53, 83, &c. De Prade. Hiſt. of Guſt. Burnet's Mem. of Hamilt. The king lends him 6000 men under the command of the marquiſs of Hamilton.

I return now to domeſtic affairs. The king's ordinary revenues not ſufficing for his expences, it was neceſſary to find means to raiſe a further ſupply. One of theſe means was, to attack ſuch as had neglected to receive the order of knighthood at the king's coronation, though they had been ſummoned. It was an antient cuſtom from the conqueſt, that ſuch as had fifteen pounds a year in land, were obliged to ſerve the king in his wars; and thoſe who were not capable of ſerving, compounded with the king, and for a certain ſum were releaſed from that ſervice. To this end, thoſe who were worth fifteen pounds a year, were to be made knights, that is, fit to ſerve the king. In proceſs of time, the number of thoſe who were to take the order of knighthood, was limited to ſuch as had twenty pounds a year. What was at firſt but a bare cuſtom, was turned into a law in the reign of Edward II. and after that ſome of the following kings took advantage of it, as may be ſeen in Rymer's Collection of Public Acts.

A commiſſion to compound with thoſe who had neglected to receive knighthood. Jan. 28. Act. Pub. xix. p. 119, 175. July 6. Ruſhworth, t. ii. p. 70. Annals.

Acts. But in general, though this ſtatute was not aboliſhed, it had however been long diſuſed. Charles I. going upon the ſtatute's being ſtill in force, ſince it was never expreſsly repealed, put it in practice at his coronation, and pretended to uſe great condeſcenſion, in ſummoning to take knighthood ſuch only as had forty pounds a year, though at that time forty pounds were much leſs than twenty pounds in the days of Edward II. He found but very few willing to obey theſe ſummons, the uſe whereof was entirely forgotten. The king himſelf overlooked this non-compliance, perhaps for fear it might be ſome prejudice to him with regard to the ſupplies he was to aſk of the parliament. But after the diſſolution of the third parliament, he did not think himſelf obliged to the ſame caution. He appointed therefore commiſſioners to compound with thoſe who had neglected to appear, as well for their contempt, as for being excuſed from receiving the order of knighthood. The commiſſioners had this inſtruction, "To take no leſs than after the rate of thrice and half as "much, as the perſons compounding were found rated in "the ſubſidy." Multitudes being ſummoned upon this occaſion, the compoſitions brought the king above a hundred thouſand pounds. This was looked upon afterwards as a grievous oppreſſion, and the parliament repealed the ſtatute on which it was grounded. Charles I. 1630.

Innovations in the divine ſervice.

I have already ſpoken of biſhop Laud's extraordinary zeal for the church of England. This church, at the reformation, thought fit to retain ſome ceremonies, not as abſolutely neceſſary, but rather as indifferent, and which conſequently ſhe believed it not proper to remove from the divine ſervice. Laud was not only ſcrupulouſly attached to theſe ceremonies, but alſo to every thing that ſerved to adorn the externals of religion, and ſeemed more inclined to increaſe the number, than ſuppreſs any of thoſe that moſt offended the puritans. He gave a proof of this inclination, when he conſecrated St. Catherine-Creed church, which had been lately repaired. On this occaſion he uſed ſome formalities which he might have forborn, as being too like what is practiſed in the church of Rome on ſuch ſolemnities. The manner of conſecration was thus:

Ceremonies obſerved by biſhop Laud, at the conſecration of St. Catherine-Creed church. 1631.

"At the biſhop's approach to the weſt-door of the church, "ſome that were prepared for it, cried with a loud voice, "Open, open ye everlaſting doors, that the King of glory "may enter in!" And preſently the doors were opened: and "the biſhop, with ſome doctors, and many other principal "men, went in, and immediately falling down upon his "knees,

Charles I. 1631.

" knees, with his eyes lifted up, and his arms ſpread abroad, " uttered theſe words: " This place is holy, the ground is " holy. In the name of the Father, Son, and Holy Ghoſt, I " pronounce it holy."

Ruſhworth, v. ii. p. 77. Annals. p. 386.

" Then he took up ſome of the duſt, and threw it up into " the air ſeveral times, in his going up towards the chancel. " When they approached near to the rail and communion-" table, the biſhop bowed towards it ſeveral times; and re-" turning, they went round the church in proceſſion, ſaying " the 100th Pſalm; after that the 19th Pſalm, and then ſaid " a form of prayer, " Lord Jeſus Chriſt, &c." and conclud-" ing, " We conſecrate this church, and ſeparate it unto " thee, as holy ground, not to be profaned any more to com-" mon uſe."

" After this the biſhop being near the communion-table, " and taking a written book in his hand, pronounced curſes " upon thoſe that ſhould afterwards prophane that holy place, " by muſters of ſoldiers, or keeping prophane law-courts, " or carrying burdens through it, and at the end of every " curſe, he bowed towards the eaſt, and ſaid, " Let all the " people ſay, Amen."

" When the curſes were ended, he pronounced a number " of bleſſings upon all thoſe that had any hand in framing and " building of that ſacred and beautiful church, and thoſe that " had given, and ſhould hereafter give any chalices, plate, " ornaments, or utenſils; and at the end of every bleſſing, " he bowed towards the eaſt, ſaying, " Let all the people " ſay, Amen."

" After this followed the ſermon; which being ended, the " biſhop conſecrated and adminiſtred the ſacrament in manner " following:

" As he approached the communion-table, he made many " ſeveral lowly bowings, and coming up to the ſide of the " table where the bread and wine were covered, he bowed " ſeven times, and then, after the reading of many prayers, " he came near the bread, and gently lifted up the corner of " the napkin wherein the bread was laid, and when he beheld " the bread, he laid it down again, flew back a ſtep or two, " bowed three ſeveral times towards it, then he drew near again, " and opened the napkin, and bowed as before.

" Then he laid his hand on the cup, which was full of " wine, with a cover upon it, which he let go again, went " back, and bowed thrice towards it; then he came near " again, and lifting up the cover of the cup, looked into it, " and ſeeing the wine, he let fall the cover again, retired " back,

" back, and bowed as before; then he received the sacra- Charles I.
" ment, and gave it to some principal men; after which 1631.
" many prayers being said, the solemnity of the consecration
" ended."

If Laud had taken all these ceremonies, both in the consecration of the church, and in the administration of the sacrament, from a ritual of the church of England, made since the reformation, there would have been nothing to object. But some years after, the house of commons accused him in form, of having exactly copied the Roman Pontifical, which which was found in his study. He denied it, alledging two seemingly very frivolous reasons. First, that the pontifical prescribes ashes to be thrown up by the bishop who consecrates the church, whereas he threw up dust in the air, which he found on the ground [h]. Secondly, that he observed a form communicated to him by bishop Andrews. But as there is so little difference between dust and ashes, and as bishop Andrews's form agreed with that of the pontifical, this answer was not much approved. However this be, it cannot be denied, that it was affectation to use on this occasion, both for consecrating the church, and administring the sacrament, a different form from that of the church of England, and to chuse one so very like the Roman pontifical. This gave his enemies a great advantage, who took occasion from it, to charge him with an intention to introduce popery. But he little regarded what could be said against him. The king's favour had raised him so high, that it was not in the power of his enemies to hurt him, but on the contrary, he had frequent opportunities to be revenged of them. Whilst he was most exclaimed against, three doctors in divinity of the university of Oxford, having preached against Arminianism, were expelled the university, and some others who had undertaken their defence, were turned out of their offices. This was under colour of observing the king's proclamation, and it was not doubted but Laud was the author of these violent proceedings [i].

Three doctors expelled Oxford for preaching against Arminianism. Rushworth, t. ii. p. 110. Annals.

In

[h] Laud's words in Rushworth are: "Whereas it was said, I threw up dust "in the air, this I deny; and where "it was alledged that it was in imitation of the Roman pontifical, that "(said he) is a mistake, for the pontifical prescribes Ashes not Dust to be cast abroad." However, it was expressly deposed by two witnesses that he threw up dust. Rushworth, tom. ii. p. 78, 79.

[i] Laud was chosen chancellor of Oxford, April 12, in the room of William earl of Pembroke, who died of an apoplexy, April 10. Mr Thomas Pead of Maudlin college, Mr. Giles Hoggea of Exeter college, and Mr. Giles Thorn of Baliol, being summoned before the vice-

Charles I. 1631. In the mean time, the king's miniſters were diligently ſeeking means to raiſe money, and new projects were every day offered, of which they choſe ſuch as they thought proper. Among theſe means, monopolies, as I ſaid, were at firſt moſt in vogue. In the beginning of the year 1632, the king by his patent under the great ſeal, incorporated the ſoap-makers. 'Tis ſaid this patent alone was worth to him ten thouſand pounds [k]. There was another company ſettled for making of cards, of whom the king bought them at eighteen ſhillings a groſs, and ſealing them, ſold them again. But I ſhould be too tedious was I to mention all the monopolies made in this reign by the king's authority [l].

Monopolies.

Act. Pub. xix. p. 323, 381. Ruſhworth. ii. p. 136, 143. Annals.

1632. Proclamation commanding all lords and gentlemen to reſide upon their eſtates. Act. Pub. xix. p. 374. Ruſhworth. ii. p. 144.

Monopolies were not however the only way practiſed to raiſe money. Several other methods were found. Shortly after, the king by proclamation commanded all lords, gentlemen, clergymen, and others whoſe ſtay in London was not abſolutely neceſſary, to depart within forty days and reſide in their reſpective counties, and at their manſion houſes. This injunction ſeemed to be grounded upon the king's deſire to hinder the nobility and gentry from waſting their eſtates by a needleſs reſidence in London, where they were obliged to be at great expence. But it was perceived afterwards, that the king had another end in it, when ſuch were ſummoned before the ſtar-chamber as had neglected to obey the proclamation, and were condemned in grievous fines to the king's uſe. At the ſame time, the king appointed commiſſioners to puniſh thoſe that, contrary to former prohibitions, had enlarged the city of London by new buildings. From all this the king drew very conſiderable ſums, the fines in which the offenders were condemned being all to his uſe. The ſtar-chamber exerciſed great rigour on theſe occaſions.

July 24. Act. Pub. xix. p. 177—184.

vice-chancellor, appealed from him to the proctors: Mr. Atherton Bruch of Brazen-noze, and Mr. John Doughty of Merton, who received their appeals, were turned out of their offices, and Ford, Hodges, and Thorn expelled. The cauſe was tried before the king at Woodſtock, Auguſt 23. Ruſhworth, tom. ii. p. 210.

[k] By way of advance, and eight pounds a tun for all ſoap hereafter boiled. Not long before was confirmed a grant made by king James, to incorporate the ſtarch-makers into a company. Act. Pub. xix. p. 92, 338. And there was a contract between the king and the maſter, &c. of this company, whereby the ſaid company did covenant to pay into his majeſty's exchequer 2500 l. the firſt year, 2500 l. the ſecond, and then 3500 l. yearly. Ruſhworth, tom. 2. p. 13.

[l] May 14, this year, Mervin lord Audley earl of Caſtlehaven, was beheaded, for a rape committed upon his wife by one of his ſervants, with his aſſiſtance; and for ſodomy. State-Tryals, tom. i.——November 4, was born the princeſs Mary married in 1641, to William prince of Orange, and mother of the late king William III. Sandford p. 606.——This year died the famous Sir Robert Cotton, founder of the Cottonian library.

About

About the ſame time, the city of London was fined fifteen hundred marks, becauſe the mayor and aldermen had neglected to take inquiſition of the death of one doctor Lamb, who paſſed for a conjurer, and of whom the duke of Buckingham had made uſe, but for what purpoſe I know not. This man being eighty years of age, was purſued by the mob from ſtreet to ſtreet, and died within a few days, either of the fatigue he had endured, or of the bruiſes he had received. Charles I. 1631. The city of London fined. Ruſhworth, ii. p. 145. Annals. June 13. 1628.

I have already obſerved, that preſbyterianiſm, or, as it was then called, puritaniſm, daily gained ground, notwithſtanding the endeavours uſed by the king, biſhops, high-commiſſion, ſtar-chamber, and courts of juſtice, to ſtop its progreſs. As theſe endeavours conſiſted not in better informing the preſbyterians, but only in the great ſeverity exerciſed upon them, when their zeal cauſed them to offend, they were the more exaſperated againſt the church of England, as they ſaw at the ſame time that the arminians and papiſts were left unmoleſted, or if orders were ſometimes given againſt them, ſuch orders were never executed. This made them exclaim againſt the biſhops, and charge them with deſign to introduce popery and arminianiſm into the church. Unhappily, they imputed to the whole church of England, the violences which ought to have been aſcribed to the circumſtances of the times, and the particular character of ſome biſhops, who having credit at court, intimated to the king, that nothing was more oppoſite to regal authority, than preſbyterian church-government. All who were not very ſubmiſſive to the king were conſidered as puritans, and as ſuch frequently oppreſſed. So, by a fatal policy, men well-affected to the church of England but enemies to arbitrary power, were forced againſt their wills to join with the puritans, in order to ſtrengthen their party, and enable them to oppoſe the deſigns of the court. I am perſwaded, this conduct gave puritaniſm many adherents, which otherwiſe it would never have had. What makes me of this opinion is, that preſbyterianiſm never made ſo great a progreſs as during the firſt fifteen years of this reign, though it had never been more perſecuted. After all, this conduct is not to be aſcribed to the church of England. We don't find in her principles and doctrines, any thing repugnant to charity, or tending to violence; but it was wholly owing to the character and deſigns of the court-prelates, of the king's miniſters and counſellors, who meant to carry the royal authority to the higheſt degree. They thought nothing would more conduce to that end, than the humbling, or rather the utter ruin of the puritans, and unfortunately conſidered as ſuch, Endeavours to deſtroy puritaniſm, and remarks thereon.

Charles I. 1631. all that oppoſed their deſign, according to king James's maxim. Hence it happened, that by confounding thus the ſtate-puritans with the church-puritans, they compelled, as I may ſay, the firſt to join with the laſt.

The deſign of ruining preſbyterianiſm deſtroyed all regard to the ſcruples of tender conſciences even of things in little moment, left by the reformers in the public worſhip rather as indifferent, than as abſolutely neceſſary. On the contrary, every thing that gave moſt offence to the Preſbyterians, was not only induſtriouſly practiſed, but alſo repreſented as neceſſary, and ſeveral novelties added which were apt to widen the breach and make an union impracticable. Of this the reader will hereafter be convinced. But before I leave this ſubject, I cannot forbear to relate a fact which clearly proves what I have advanced.

Proceſs againſt the recorder of Saliſbury. February. Ruſhworth. ii. p. 153. State-Try. t. i.

There was in the city of Saliſbury a collegiate church, called St Edmonds, which with its revenues, like the reſt of that kind, came by act of parliament into the hands of Henry VIII. and remained in the crown till the reign of James I. who ſold it to a private perſon, and he to another, ſo that it paſſed ſucceſſively through ſeveral hands, till at length the laſt proprietor ſold the church to the pariſhoners of St. Edmonds, who repaired and made it the pariſh-church. The windows, which had till then been preſerved, were painted after the o'd faſhion, and contained among other things the hiſtory of the creation, where the painter had repreſented God the father in the form of an old man, creating the world during the firſt ſix days, but on the ſeventh had painted him ſitting, to denote the day of reſt. The ignorant painter had committed ſeveral blunders, having given to one day the work performed on another, and in expreſſing the creation of the ſun and moon had put in God's hand a pair of compaſſes, as if he was going to meaſure them. Henry Sherfield recorder of Sarum, and pariſhioner of St. Edmonds, having called a veſtry, repreſented to the pariſhioners, that theſe pictures gave offence and were apt to lead the people to ſuperſtition. That the painter had committed ſeveral errors, and beſides the repreſentation of God the father in the form of an old man, offended the eyes of good chriſtians. Whereupon the veſtry thought proper to take down the windows[m], and put up others not painted in their place. Armed with

[m] What Mr. Sherfield wanted to have altered, was only one window, conſiſting but of four lights, and not any of the fair windows of the church. Ruſhworth, tom. ii. p. 154.

this

this order, the recorder ſends for a glazier, and ſhowing him with his ſtick the glaſs which was to be changed broke ſome of the panes, as little caring to preſerve them. Charles I. 1632.

Upon this outrage, an information is exhibited againſt Sherfield in the ſtar-chamber by the attorney-general, ſhowing, that contrary to the canons, which forbid any private perſon to alter or innovate any thing in the fabric or ornament of a church without ſpecial licenſe from his majeſty or the biſhop of the dioceſe, Sherfield being ill-affected to the diſcipline of the church of England, and the government thereof by biſhops, did combine with ſome others of the ſame opinion, and undertake by a bare order of the veſtry, and in contempt of the king and the dioceſan to break down the windows of St. Edmond's church, which contained excellent pictures of the creation, made hundreds of years ſince, and were a great ornament to the church. That he committed this prophane act, contrary to the order of the biſhop, who by letter had injoined him to deſiſt from that deſign. That by this ill example, other wicked and ſchiſmatical perſons ill-affected to the government of the church of England under his majeſty might be encouraged to uſe the like violent courſes.

Sherfield anſwered, that the church of St. Edmond's was a lay-fee, and had ſo continued ever ſince it fell to the crown, and therefore it was legally exempted from the juriſdiction of the biſhop of the dioceſe. That conſequently thoſe who had purchaſed the church, had lawful power to alter the windows, as they had before made other alterations, in the ſteeple, walls, pulpit, and other parts, without any complaints from the biſhop. That after all, he had only taken down ſome ſmall quarries of glaſs to ſhow the glazier what was to be altered, and that the hiſtory of the creation might ſtill be plainly diſcovered. That the painting was ſo far from being fine, that when it was done, it did not coſt above forty ſhillings. Then he ſet forth the groſs blunders of the painter, and proved by acts of parliament made in the reigns of Edward VI. and Elizabeth, that all pictures ſhall be removed out of the churches. Finally, he denied that he was ill-affected to the government of the church under biſhops, or had acted in contempt of the king, or ever received a letter from the biſhop of Saliſbury upon the ſubject. Whereupon the biſhop of London ſaid, that he did not pretend to juſtify the errors of the painter, but only to obſerve to the court, that God being called in ſcripture, "the antient of days," might be the occaſion of the

Charles I. 1632. painter's repreſenting God the father like an old man [n]. But that Sherfield was much more to blame than the painter for daring to make alterations without licenſe. In ſhort, Sherfield was fined five hundred pounds, contrary to the opinion of ſome of his judges, who would have mounted his fine to a thouſand, and condemned to make a public acknowledgement of his fault before ſuch perſons as the biſhop ſhould pleaſe to name [o]. I thought my ſelf obliged to relate this inſtance, in order to ſhow what methods were taken to ruin preſbyterianiſm. It is eaſy to perceive, that ſuch ſeverities could not but produce very ill effects amongſt the people, and alienate them from, inſtead of reconciling them to, the church of England.

The king gains Sir Thomas Wentworth.

In the account, I have given of the third parliament held in this reign, I had ſometimes occaſion to ſpeak of Sir Thomas Wentworth, knight of the ſhire for the county of York. This gentleman, ſeveral times in the houſe of commons, gave proofs of his zeal for the maintenance of the liberties of the people, and the privileges of the parliament. By that he became formidable to the court, though he took care not to run into any exceſs with regard to the king and his miniſter. On the contrary, he always ſoftened his opinions with ſome honorable and reſpectful expreſſions, but however ſeldom failed to oppoſe the pretenſions of the court. As he was one of the greateſt geniuſes then in England, the king ſoon perceived that his parts and capacity might be very ſerviceable to him, if he could gain him to his intereſt. He endeavoured it therefore after, or perhaps before the diſſolution of the parliament, and ſucceeded ſo well, that Wentworth became one of the moſt zealous promoters of the royal authority, or rather of the deſpotic power the king had a mind to eſtabliſh [p]. Upon this account, the king thought him the fitteſt perſon to be intruſted with the preſidentſhip of the council in the north.

He is made preſident of the council of York. Act. Pub. xix. p. 410. Ruſhworth. ii. p. 158.

[n] Upon which Philip earl of Dorſet obſerved, that by the text was meant, "The eternity of God, and not God "to be pictured as an old man creating "the world with a pair of compaſſes. "But I wiſh, added he, there were "no image of the father, neither in "the church, nor out of the church; "for at the beſt they are but vanities, "and teachers of lyes." Ruſhworth, t. m. ii. p. 156. State-Tryals.

[o] He was likewiſe committed to the Fleet, removed from his lieutenantſhip, and bound to his good behaviour. Ibid.

[p] About the ſame time were gained alſo Sir John Saville, who was made lord, and controller of the houſhold; Sir Dudley Digge, who was promoted to the maſterſhip of the rolls; Noy, who was made attorney-general; and Sir Edward Littleton, who was made ſolliciter. Sir John Elliot was, ſome time before his death, tampered with, but he was proof againſt all temptation.

As

As this is one of the greateſt grievances complained of by the Engliſh againſt Charles I. and one of the moſt noted occaſions wherein that prince diſcovered his deſign to ſet up an unlimited power, it will be neceſſary briefly to ſhow what this council in the north was, and the uſe the king would have made of it to ſubject his people to a deſpotic power. Charles I. 1632.

Upon the ſuppreſſion of the leſſer monaſteries in the 27th year of the reign of Henry VIII. there were, for two or three years together, ſeveral inſurrections in the north. Meanwhile, as Henry VIII. did not intend to ſtop there, but meant alſo to ſuppreſs all the reſt of the monaſteries, he thought proper to take ſome care to prevent the like inſurrections in thoſe parts. To that end, he eſtabliſhed at York a court of juſtice, under the ſpecious pretence of eaſing his poor ſubjects, who had not wherewithal to proſecute their ſuits in the courts of Weſtminſter. But his real intent was, that this court ſhould have an eye upon the proceedings of the northern lords and gentlemen who were ſuſpected, in order to puniſh them immediately, in caſe it was perceived they were endeavouring to raiſe any freſh inſurrections. A commiſſion therefore was granted to the biſhop of Landaff, the firſt preſident, and others, by virtue whereof was eſtabliſhed this new council in the north, otherwiſe called the court of York. The juriſdiction of this court extended over Yorkſhire, Northumberland, Cumberland, Weſtmoreland, the biſhopric of Durham, the county of the cities of York, Kingſton upon Hull, and Newcaſtle upon Tine. The king's commiſſion was no other than a commiſſion of Oyer and terminer, with an additional clauſe, whereby the council was impowered to hear all cauſes, real and perſonal, when one or both of the parties by reaſon of their poverty could not proſecute their rights, according to the laws of the land. This clauſe, though illegal, produced no ill effect nor any complaint, whether the new court exerciſed that part of the commiſſion at all, or only ſo ſparingly, that the poor found eaſe and benefit by it. Remark on the council of York. Ib. p. 162.

In the firſt year of the reign of king James I. a commiſſion was granted to the lord Sheffield preſident of the court of York, which varied not from the former, only it had reference to inſtructions which the king was to ſend him. It is not known whether theſe inſtructions were ſent; but it is evident, that in making the power of the court to depend on the king's inſtructions, the intent was, that its deciſions ſhould not be made ſo much according to the laws, as according to his majeſty's private orders. And indeed king

Charles I. 1632. James in the ſeventh year of his reign granted a new commiſſion to the ſame lord Sheffield, omitting theſe two clauſes, which were in the firſt, that they ſhould inquire "per ſacramentum bonorum et legalium hominum," and hear and determine, "ſecundum leges Angliæ." Thus the power of the court was limited only by the particular inſtructions, which were the firſt that appear to have been ſent thither.

From that time, whenever the commiſſion was renewed, which was upon every change of preſident or counſellor, the king ſent new inſtructions, tending to render the court of York independent, not only of the courts of Weſtminſter, which are the courts of the whole kingdom, but even of all ſorts of laws. Charles I. renewed this commiſſion in favour of the lord Wentworth, with a more ample power than any of his predeceſſors had been inveſted with. In 1632, a clauſe was added, whereby, among other things, authority was committed to him to hear and determine all offences and miſdemeanours, ſuits, debates, controverſies and demands, cauſes, things and matters whatſoever contained in the inſtructions annexed to the commiſſion. But what were theſe inſtructions ¶? In the parliament of 1640, Mr. Edward Hyde, then member of the houſe of commons, and afterwards earl of Clarendon, being ſent by the houſe to the lords concerning the court of York, ſaid in his ſpeech to them, that in the inſtructions of 1632 and 1637, containing fifty-eight articles, "there was ſcarce one that was not againſt or beſide the "law." From whence he took occaſion to aſk, "What "have the good northern people done, that they only muſt "be diſfranchiſed of all their privileges, and be governed ac"cording to the diſcretion of the court of York?". Nay, though this court might proceed according to diſcretion, ſpecial proviſion was made in the king's inſtructions, that no fine, no puniſhment ſhould be leſs than by law appointed.

March 27. See Ruſh. ii. p. 158. &c.

Id. p. 162.

This

¶ Among other matters in the inſtructions, the ſaid preſident was to hear and determine, according to the courſe of proceedings in the ſtar-chamber, divers offences, deceits, and falſities, whether the ſame were provided by act of parliament, or not. Likewiſe to hear and determine, according to the courſe of proceedings in the court of chancery, all manner of complaints, as well concerning lands, tenements, and hereditaments, &c. and to ſtay proceedings in the courts of common law by injunction, or otherwiſe, as is uſed in the courts of chancery. And that no prohibition ſhall be granted at all, but in caſes where the preſident exceeded the limits of the ſaid inſtructions. And that if a Habeas Corpus be granted, the party was not to be diſcharged till he performed the decree of the council. Ruſhworth, fom. ii. p. 158.

"But, added Mr. Hyde, as much "greater as your diſcretion ſhall think "fit. And indeed ſays he, in this "improvement we find arbitrary courts "are very pregnant. If the law re"quire my good behaviour, this diſ"cretion makes me cloſe priſoner: if

"the

This court was abolished afterwards by the same parliament of 1640.

Charles I. 1632.

The king having governed three or four years without a parliament, was very much at ease. His will, by degrees, began to pass for law; there was no house of commons to complain publicly, and he saw none about him but such as were always ready to flatter him, and cherish his principles concerning government. On the other hand, he was freed from the incumbrance and expence of a war, which had created him great trouble, and rendered him too dependent on the parliament. In short, though he was not ignorant that in general the people were discontented, he did not see any appearance of a rebellion, the great men of the kingdom and the neighbouring princes being so disposed, as to give no encouragement to those who should attempt to disturb the state. His affairs being in this situation, he believed he could not take a properer time to go into Scotland, where three important affairs required his presence. First, he had a mind to be crowned. 2. He intended to hold a parliament for procuring of money. 3. He designed to take some measures there for the execution of a project long since formed, to reduce the kirk of Scotland to a perfect conformity with the church of England, and entirely ruin presbyterianism. To this end it was, that he took with him Laud, bishop of London, and at his arrival in Scotland, made him privy-counsellor of that kingdom. He departed therefore from London the 13th of May 1633, and being come to Edinburgh, was crowned with the usual solemnities. After that he held a parliament, which gave him the largest subsidy that had ever been granted to any king of Scotland before him[s]. The third point concerning religion requires some explanation. But as I intend to speak more fully of it hereafter, I shall only say here what is absolutely necessary to show the king's design.

The king's journey to Scotland. Rushworth, ii. p. 175. Clarendon, t. i. p. 60. &c. Guthry's Mem.

Diary. He is crowned there. June 18. A parliament. June 20. Rushworth, t. ii. p. 175, 180, &c. Clarendon. Salmonet. Burnet.

The reformation was established in Scotland in the reign of queen Mary, mother of James I. upon the plan of the churches of Geneva and Switzerland. The hierarchy was entirely suppressed, and the government of the church committed to

Remark concerning the established religion in Scotland. Salmonet. Nelson, t. i. p. 156. &c.

[s] "the law set me in the pillory, this discretion appoints me to leave my ears there. And such confusion hath this discretion in these instructions produced, as if discretion were only to act with rage and fury." See the whole speech in Rushworth, tom. ii. p. 162. where the reader will find a narrative of the foundation, progress, and growth of this court.

[s] This subsidy was 30 s. of every pound worth of land, for six years; and also the sixteenth penny of all annual rents, or interest of money, and for six years as the former. Rushworth, tom. ii. p. 182.

pres-

Charles I. 1633.

presbyters and national synods, called in Scotland General Assemblies. But however, the bishops were still continued, though divested of all ecclesiastical jurisdiction: they retained only their revenues, lands, houses, seat in parliament, and all the temporal advantages in general that were annexed to the episcopal dignity. From the beginning of the reformation, that is from the year 1561, to the end of the sixteenth century, the state of the bishops underwent several revolutions, of which I shall say nothing here, because I design to speak of them elsewhere. It suffices to say at present, that James I. becoming king of England, found means to cause the parliament of Scotland to restore episcopacy to its former lustre, and give the bishops their ancient jurisdiction over the church. This was the first step to lead the kirk of Scotland to the desired point, that is, to a perfect conformity with the church of England. But the tedious treaty of his son's marriage with the Spanish infanta, and the affairs of Bohemia and the Palatinate, hindered him from fully executing his project. Charles I. had this work no less at heart than the king his father: but as in the beginning of his reign he was engaged in a war with Spain, and afterwards with France, and moreover his disputes with his parliaments affording him little leisure to think of other matters, he could not seriously set about this affair till after the others were ended. In the parliament at Edinburgh, in the year 1633, among other acts that were presented to be passed, there were two, namely, An Act anent (or concerning) his Majesty's royal Prerogative and Apparel of Kirkmen; and An Act of Ratification of the Acts touching Religion. These were the only acts that met with any opposition, on account of the consequences which some feared the king would hereafter draw from them. The first of these acts was properly but a confirmation of a like act passed in the reign of king James VI. impowering his majesty to order the vestments of the clergy as he pleased. Now as from that time the design of altering the discipline of the kirk of Scotland had showed itself more and more, some of the members of this parliament suspected the king would make use of that act to introduce the surplice. And indeed, being asked whether he intended it, he made no answer, but taking a list of the whole members out of his pocket, said, "Gentlemen, "I have all your names here, and I will know who will do "me service, and who will not, this day." However, about thirteen noblemen and as many barons and burgesses declared that they agreed to the act for his majesty's prerogative, but dissented from that part of it as to the apparel of kirkmen.

King James restores episcopacy, 1606. Burnet. Salmonet.

Acts concerning religion passed this parliament. Rushworth, tom. ii. p. 183, etc.

Ib. p. 183.

The

The other act which I mentioned, was expreſſed in the following manner: "Our ſovereign lord, with the advice and "conſent of the eſtates, ratifies and approves all and whatſo- "ever acts and ſtatutes made before, anent the liberty and "freedom of the true kirk of God, and religion preſently pro- "feſſed within this realm, and ordains the ſame to ſtand in "their full force and effect, as if they were ſpecially men- "tioned and ſet down herein." Charles I. 1633. Ruſhworth, tom. ii. p. 186.

I have already ſaid, that in the reign of James VI. and eſpecially after his acceſſion to England, he made ſeveral innovations in the kirk of Scotland, particularly with reſpect to the epiſcopal juriſdiction which had been reſtored. The whole artifice of this act conſiſted therefore in theſe words, "the "religion at preſent profeſſed;" for thereby were confirmed all the innovations in the diſcipline of the kirk of Scotland, to which the oppoſers of the act would not agree. They were very willing to ratify the acts made in favour of religion, as eſtabliſhed by an act paſſed in the ſixth year of James VI. when the biſhops had no power or juriſdiction, but would not admit theſe words, "at preſent profeſſed." During theſe conteſts, the king ſaid with ſome emotion, "I will have no "diſtinction, but command you to ſay, I or No." Whereupon the diſſenting lords and gentlemen ſaid, No. However the two acts paſſed by a majority of votes. Some affirmed afterwards, that fraud was uſed in gathering the votes: however, the king's eagerneſs to have theſe two acts paſſed, convinced the people of Scotland that the project of making greater innovations in the kirk ſtill ſubſiſted, and that the two acts were a ſort of preparative to accompliſh it. On the other hand, the oppoſition the king met with, ſhowed him it was not yet time to act openly, and that it was neceſſary to take other meaſures to facilitate the ſucceſs of his deſigns [t]. Oppoſition to theſe acts.

If it was endeavoured in Scotland to ruin preſbyterianiſm by indirect ways, it was thought proper to proceed in England with leſs caution: accordingly, all poſſible efforts were uſed to deſtroy it utterly by perſecuting the puritans, for whom there was not the leaſt conſideſcenſion. The court and biſhops laid it down for a rule, not to depart on their account from one tittle of what was practiſed in the church of England, for fear they ſhould grow too powerful, and the indulegnce ſhown them prove detrimental to the church. But there was a ſtronger reaſon, namely, the implacable hatred conceived of them by The puritans are perſecuted in England.

[t] The king arrived at Greenwich from Scotland July 20. Laud's Diary.

the

Charles I. 1633.

the king, his miniſters, and, above all, by the biſhops of London and Wincheſter, which made them earneſtly ſeek all occaſions to oppreſs them: and theſe occaſions were eaſy to be found. They had only to preſs the obſervation of the canons, without diſpenſing with one article, in order to cauſe the preſbyterians to commit offences which expoſed them to the rigour of the eccleſiaſtical and civil laws. But as the biſhops could not be every where, and wanted people to inform them of what paſſed, Walter Curle biſhop of Wincheſter bethought himſelf, in his primary viſitation, to oblige by oath the church-wardens and other officers to turn informers, that none might eſcape their enquiry. The oath was as follows:

June. Oath appointed by the biſhop of Wincheſter. Ruſhworth, tom. ii. p. 186. Annals.

"You ſhall ſwear, that you and every of you, without "all affection, favour, hatred, hope of reward and gain, or "fear of diſpleaſure or malice of any perſon, ſhall preſent all and every ſuch perſon or perſons, of or within your "pariſh, who hath committed any offence, fault, or crime, "or omitted any part of duty, which be enjoined to perform: "wherein you ſhall deal uprightly and according to truth; "neither of malice preſenting any contrary to truth, nor of "corrupt affection ſparing to preſent any, and to conceal "the truth; having in this action God before your eyes, "with an earneſt zeal to maintain truth, and ſuppreſs vice. "So help you God, and the contents of this book."

With this oath were delivered certain inſtructions, according to which they were to proceed.

"1. As to the articles concerning the church, they are "to enquire, whether they have the Book of Conſtitutions, "or Canons eccleſiaſtical, and a parchment Regiſter book, "Book of Common Prayer, and Book of Homilies, etc.? "And whether the communion-table be placed in ſuch convenient ſort within the ſaid chancel or church, as that "the miniſter may be beſt heard in his prayer and adminiſtration?

"2. As to the articles concerning the clergy, whether "doth the miniſter read the Conſtitutions ſet forth by his "majeſty once every year?

"3. Whether the miniſter or preacher uſed to pray for "the king's majeſty with his whole title, as king of Great "Britain? And doth he in like manner pray for the archbiſhops and biſhops? And doth he obſerve all the orders, rites, and ceremonies preſcribed in the Common Prayer, and adminiſtring the ſacrament? And whether doth the miniſter receive the ſacrament, kneeling at the ſame, and

"adminiſtreth

" adminiſtreth to none but ſuch as do kneel, as by the XIIth Charles I.
" Canon is directed? 1633.

" 4. Whether hath the miniſter admitted to the commu-
" nion any notorious offenders or ſchiſmatics, contrary to the
" XXVIth and XXVIIth Conſtitution? And whether ſtran-
" gers of any other pariſh do come often and commonly to
" your church, from their own pariſh-church, contrary to the
" XXVIIIth Canon? And whether doth the miniſter uſe to
" ſign the children with the ſign of the croſs when they are
" baptized? And whether is your miniſter a licenſed mini-
" ſter? If yea, then by whom? And whether doth the mi-
" niſter wear the ſurplice whilſt he is ſaying the public prayers,
" and adminiſtring the ſacraments? Whether doth the miniſter
" catechize and inſtruct the youth of ignorant perſons of your
" pariſh in the Ten Commandments, etc.? And whether he
" doth ſolemnize marriage, the banes not being three ſeveral
" Sundays and holidays firſt publiſhed in time of divine ſer-
" vice? And whether doth your miniſter in the Rogation-
" days uſe the perambulation of the circuit of the pariſh?
" Whether doth the miniſter every ſix months denounce in
" the pariſh all ſuch as do perſevere in the ſentence of ex-
" communication, not ſeeking to be abſolved? Or hath he
" admitted any excommunicated perſon into the church,
" without certificate and abſolution? Whether is your mini-
" ſter a favourer of recuſants, whereby he may be ſuſpected
" not to be ſincere in religion? Whether is your miniſter
" noted to be an incontinent perſon, a frequenter of taverns,
" ale-houſes, a common gameſter, or player of dice, etc.?"
With divers other articles of enquiry.

Hence may be ſeen how very careful the biſhop of Win- The king ſupports wakes and revels, Ruſhworth, tom. ii. p. 191.
cheſter was to hinder any preſbyterian miniſters from getting into the church of England. But though the oath enjoined by this prelate was a real outrage upon the laws, the parliament alone having power to preſcribe ſuch oaths, none dared to attack him directly. The preſbyterians were ſure to meet with no encouragement from the court; on the contrary, their diſlike of a thing was a ſufficient reaſon with the court ſtrenuouſly to ſupport it. Of this I ſhall give two very remarkable proofs. The preſbyterians were offended at the feaſts of the dedications of churches, commonly called Wakes or Ales, becauſe they were only occaſions of riot and debauchery, and becauſe their days ſeldom paſſed without ſome diſorders. In Somerſetſhire, where theſe revels abounded, the lord chief juſtice Richardſon and baron Denham, in their circuits, made an order, with the general conſent of the whole bench, that

theſe

Charles I. 1633.

these revels should be suppressed [u]: but the chief justice being commanded to attend the council board, was severely reprimanded, and enjoined to revoke the order made at the assizes. A second proof of what I advanced was this:

and recreations on Sundays, after divine service.

October 18. Rushworth, tom. ii. p. 193. Annals. Heylin.

The presbyterians, notwithstanding the late king's proclamation, affecting still to forbid their servants to be present at these revels, or to use any recreations publicly on Sundays after divine service, the king renewed and confirmed the proclamation published by his father, commanding that the people should not be troubled or molested in their recreations. The court was afraid, that by degrees a maxim deemed by them prejudicial to their interest, would be established, namely, that when a custom, not ill in itself, occasioned abuses, it ought to be abolished. This maxim seeming to them too general, because it might be applied to things of great consequence, they opposed it to the utmost of their power.

Abbot dies; Laud succeeds.

George Abbot, archbishop of Canterbury, dying this year 1633, William Laud, bishop of London, succeeded him in that dignity [w].

James duke of York born. October 13.

This year the queen was delivered of a second son, in October, who was called James, and created duke of York.

A design talked of to restore popery.

The presbyterians were possessed, that a project was formed to re-establish the Romish religion in England. This notion in general ought not to seem strange, since it is certain that from the reformation this project had never been interrupted; but the authors of it must be carefully distinguished. Had the presbyterians been satisfied with believing that some private Roman catholics had formed such a design, it may be affirmed they would not have been mistaken; but they went much farther: they imagined that the king's ministers, the council, bishops, and particularly the new archbishop of Canterbury, were the authors of the project. If they did not directly charge the king with it, as least they were persuaded, either that he encouraged it, or suffered himself to be carried farther than he intended by persons who concealed their design from him. The catholics themselves gave occasion for these suspicions, in showing openly their hopes of quickly seeing a change in favour of their religion. We find in a Diary kept by Laud of what happened to him every day, that this very year 1633, he had the offer of a cardinal's cap, if he

August 4. Diary. Welwood, p. 51, 52.

[u] On Sunday. Rushworth, tom. ii. p. 191.

[w] Archbishop Abbot died August 4, and Laud succeeded him immediately after. His congé d'elire is dated August 12; the royal assent, September 4; and the restitution of the temporalities, September 23. See Rymer's Fœd. tom. xix. p. 525. Clarendon, tom. i. p. 68, 69.

would

would help to reſtore the Roman religion. For my part, I verily believe, neither the king nor the archbiſhop [x], nor the miniſters, for the moſt part, ever formed ſuch a deſign; at leaſt, in all that has been ſaid upon the ſubject, I have not met with any proof which appeared, I will not ſay ſufficient to convince me, but even to have the leaſt probability. Nevertheleſs it is certain this opinion was ſpread among the people, and the preſbyterians uſed all their endeavours to gain it belief. I do not know whether they believed it themſelves, or only thought it for their advantage to caſt this reproach upon the church of England, in order to ſtrengthen their party, in which they ſucceeded at laſt beyond their expectations. But ſince this opinion produced in time ſurpriſing effects, I cannot forbear ſhowing upon what it was grounded. 2 Charles I. 1633.

1. Whilſt James I. was only king of Scotland, before the death of queen Elizabeth, he was ſuſpected to favour the papiſts [y]. Elizabeth herſelf was not free from ſuch a ſuſpicion, as appeared in the hiſtory of her reign. After James's acceſſion to the throne of England, he always expreſſed great tenderneſs for the catholics. This he ſhowed on ſeveral occaſions, as in the gunpowder-plot; by his expreſſions in favour of the catholics in all his ſpeeches to the parliament; by the places of truſt, which he gave indifferently to papiſts and proteſtants, as he owned himſelf in his famous apology: by his continual refuſal to execute the laws againſt recuſants: and laſtly, by the little zeal and affection he expreſſed for the proteſtant religion in the two negociations with Spain and France concerning his ſon's marriage. I ſay nothing here of his conferences with the archbiſhop of Embrun, becauſe they were not known in his life-time, nor can be affirmed to be faithfully related. All this gave ſome cauſe to ſuſpect that king James had ſome ill deſign with regard to religion, and had left the execution to the care of his ſucceſſor. Grounds and reaſons of this opinion.

x Wilſon's obſervation about him ſeems to be juſt: "Laud, ſays he, "would never bring his neck under the "obedience of the Roman yoke, though "he might ſtick for the grandeur of "the clergy." Compl. Hiſt. p. 753.

y It would have been thought ſomething more than ſuſpicion, had they known of his ſecret treaty with the king of Spain in 1596, managed by John Ogleby, a Scotch baron, who declared to his catholic majeſty, that king James would turn catholic, and enter into a confederacy with his holineſs and his catholic majeſty, againſt the queen of England; and produced a letter of credence of the ſaid king James, preſenting a memorial of the reaſons that induced the king of Scotland to be reconciled to the ſee apoſtolic. This tranſaction is mentioned by none of our hiſtorians. The papers relating to this affair were found among ſir Ralph Winwood's, which the reader may ſee in the collection of ſtate-papers publiſhed by Edmund Sawyer, eſq. tom. i. p. 1.

Charles I. 1633.

2. Charles I. when prince and at Madrid, ſent a letter to the pope, which might have rendered him ſuſpected. This ſuſpicion might be confirmed by the ſecret articles he is ſaid to have ſigned on occaſion of his marriage with the infanta.

3. After Charles was on the throne, he always ſhowed a very great condeſcenſion to the catholics, ſeveral whereof were raiſed to the higheſt poſts: Conway, ſecretary of ſtate, was a papiſt; Weſton, who was made earl of Portland and lord treaſurer, was ſo likewiſe; indeed the duke of Buckingham profeſſed the reformed religion, but it was generally believed he would have made no difficulty to change it for the Roman; beſides, his mother and his ducheſs were papiſts. The parliament, as I have ſaid, preſented to the king a liſt of many recuſants, to whom were committed the places of truſt in their reſpective counties. In ſhort, though the king had poſitively promiſed to proceed with vigour againſt the recuſants, he ſeems not to have performed his promiſe, ſince the following parliaments were frequently obliged to renew their inſtances, and always in vain. If the king gave any orders upon that ſubject, they were never executed, and every one believed the court connived at the neglect of thoſe who were charged with the execution, ſo that this was a perpetual cauſe of complaint during his whole reign.

4. The king had an exceſſive complaiſance for his queen, and the queen was not only a papiſt, but alſo very zealous for her religion. This gave occaſion to fear ſhe had formed the project of reſtoring it in England, and would at laſt draw the king into her ſentiments.

5. The preſbyterians, who were looked upon as the greateſt enemies to popery, were furiouſly oppreſſed and perſecuted, whilſt the Arminians and papiſts were ſuffered to live unmoleſted. Hence it was inferred that the court acted with ſuch warmth againſt that ſect, only to make way, by their deſtruction, to the reſtoration of popery.

6. Arminianiſm was ſo openly countenanced by the court, and ſome of the principal biſhops, that many believed there was a deſign to make uſe of it as a means to effect the more eaſily a change of religion.

Clarendon, tom. i. p. 73. Coke.

7. As this notion of a deſign to reſtore popery ſpread itſelf over the kingdom, the heads of the church of England were more attached to all the rites and ceremonies which gave moſt offence to tender conſciences: kneeling at the ſacrament, wearing the ſurplice, confirmation, keeping of ſaints days, proceſſions, bowing to the altar, and the like, which offended the preſbyterians, as being reliques of popery, theſe things, I

ſay, were preſſed by the biſhops with the ſame eagerneſs as if religion muſt have fallen with them, and as if they were abſolutely neceſſary to ſalvation. This cauſed many to ſuſpect that the obſervance of all theſe points was preſſed with deſign to pave the way for the more eaſy reception of the popiſh tenets hereafter. Charles I. 1633.

8. The heads of the church of England were not ſatisfied with zealouſly maintaining the ceremonies and rites uſed in their church ſince the reformation, but made certain additions to them from time to time, which could not be juſtified by the canons. This occaſioned theſe things to be conſidered as innovations tending to popery. What Laud had done in conſecrating St. Catherine-Creed church, and in adminiſtring the ſacrament, was of this kind. When ſome complained of theſe things, the biſhops that countenanced them alledged a ſtatute, which impowered queen Elizabeth and her ſucceſſors, in caſe of any abuſes and indecencies in the divine ſervice, to preſcribe ſuch ceremonies as they ſhould judge proper for the glory of God and the decency of his worſhip. Now as the king never failed to approve of what was injoined by the biſhops, many ſuſpected that the king's authority was uſed to ſupport theſe ſeemingly inconſiderable innovations, with deſign to take the advantage of the ſame authority to juſtify alterations of much greater conſequence.

9. Laſtly, the church's little regard to tender conſciences, and her obſtinacy in refuſing to relax in any the moſt inſignificant point; as for inſtance, the ſurplice, gave occaſion to believe, theſe things would not be ſo zealouſly adhered to, were there not ſome more hidden deſigns.

Theſe were the grounds, as far as I have been able to obſerve, on which was founded the people's belief of a ſettled deſign to introduce popery. However, theſe are only preſumptions, from whence, as I ſaid, it cannot be juſtly inferred, that this opinion was well grounded. But on the other hand, it muſt be confeſſed, that the principal biſhops, who were not ignorant of the conſequences drawn from their conduct, were extremely careleſs in clearing themſelves, or in taking meaſures to remove, or at leaſt to weaken theſe ſuſpicions. They regarded the preſbyterians with the utmoſt contempt, as a ſett of ſtubborn obſtinate people, who ought to be humbled, inſtead of being indulged. But it was not with reſpect to religion only that the ruin of the puritans was thought neceſſary. They were alſo conſidered as perſons, who by the principles of their religion, were inclined to oppoſe all authority in the ſtate as well as in the church, and

Charle I. 1633. consequently they could not be kept too low. This bred between the two parties an inplacable enmity, which is not yet extinguiſhed. The preſbyterians, who were under oppreſſion at the time I am ſpeaking of, had their turn afterwards, and oppreſſed, nay, utterly deſtroyed, the church of England. In the violent motions cauſed by this enmity, the biſhops ſuffered firſt. Laud loſt his head on the ſcaffold. The monarchy was overthrown, and in the fall the king himſelf came to a tragical end. The church of England diſappeared for ſome time, and was, as it were, buried in the ruins of the ſtate. And it was not without a wonderful providence that the monarchy and the church were at laſt reſtored to their former ſplendor.

Nalſon, tom. i. p. 5. Clarendon, t. i. p. 63.

The king, as I ſaid, intended to introduce the rites of the church of England into the kirk of Scotland. This project was formed by the king his father, who had even ordered that divine ſervice ſhould be celebrated in his royal chapel at Edinburgh, in the ſame manner as in his chapel at Whitehall. But whether this order was neglected, or the Scots would not frequent the chapel, Charles thought proper not only to renew it, but to add ſeveral things to hinder the chapel from being deſerted for the future. On the 8th of October, he ſent the following articles to the biſhop of Dunblane, dean of his chapel at Edinburgh.

Articles for his majeſty's royal chapel in Edinburgh. Octob. 8. Ruſhworth, ii. p. 205. Annals, p. 442.

" OUR expreſs will and pleaſure is, that the dean of our " chapel, that now is, and his ſucceſſors, ſhall be aſſiſtant " to the right reverend father in God the archbiſhop of St. " Andrews, at the coronation, ſo often as it ſhall happen.

" 2. That the book of the form of our coronation lately " uſed, be put in a little box, and laid into a ſtandard, and " committed to the care of the dean of the chapel ſucceſſively."

The coronation of king Charles I. it muſt be obſerved, had been performed according to the rites of the church of England.

" 3. That there be prayers twice a day, with the choir, " as well in our abſence as otherwiſe, according to the Eng- " liſh liturgy, till ſome courſe be taken for making one, that " may fit the cuſtom and conſtitution of that church.

" 4. That the dean of the chapel look carefully, that all " that receive the bleſſed ſacrament there, receive it kneeling; " and that there be a communion held in that our chapel, the " firſt Sunday of every month.

" 5. That the dean of our chapel, that now is, and ſo " ſucceſſively, come duly thither to prayers upon Sundays,

and

" and ſuch holy-days as that church obſerves, in his whites, and preach ſo, whenever he preacheth there. And that he be not abſent from thence, but upon neceſſary occaſion of his dioceſe, or otherwiſe, according to the courſe of his preferment." Charles I. 1633.

" 6. That theſe orders ſhall be our warrant to the dean of our chapel. That the lords of our privy-council, the lords of the ſeſſions, the advocate, clerks, writers to the ſignet, and members of our college of juſtice, be commanded to receive the holy communion once every year at leaſt, in that our chapel royal, and kneeling for example-ſake to the kingdom. And we likewiſe command the dean aforeſaid, to make report yearly to us, how we are obeyed therein, and by whom; and alſo if any man ſhall refuſe, in what manner he doth ſo, and why.

" 7. That the copies which are conſecrated to our uſe, be delivered to the dean, to be kept upon inventory by him, and in a ſtandard provided for that purpoſe; and to be uſed at the celebration of the ſacrament in our chapel royal [z]."

Beſides theſe articles, the king writ a letter to the dean, ordering him to certify to the lords of the privy-council, if any of thoſe appointed to communicate in his chapel royal, did not perform theſe articles, to the end, ſuch order might be taken, as his majeſty had appointed by his former letters.

Hence it is viſible, that not only the whole council of Scotland, but alſo thoſe who were in public employments and court-places, were prepared to conform to the church of England, otherwiſe they would not have been employed, or continued in their poſts. It was with them the king intended to begin, that, as he ſaid himſelf, they might ſerve for example to the reſt. We ſhall ſee preſently what happened, when the king would have obliged the whole Scotch nation to the ſame condeſcenſion.

Whilſt the king was ſeeking means to engage the Scots to conform to the church of England, pains were taking on the contrary to alienate from her the preſbyterians in England, by affecting ſuch uſages and cuſtoms as were moſt apt to offend them. At that time the heads of the church of England, inſtead of undeceiving thoſe who prepoſterouſly imagined ſhe was leaning to popery, ſeem to have taken all poſſible care to confirm their ſuſpicions, by induſtriouſly conforming to the

The placing the communion-table altar-wiſe in St. Gregory's church. Ruſhworth, ii. p. 207. Annals.

[z] King Charles, before his return from Scotland, erected Edinburgh into a biſhopric. Clarendon, tom. 1. p. 67.

Charles I. church of Rome in matters of little moment, and without any
1633. neceſſity, as if it was done on purpoſe to brave them. In October 1633, the dean and chapter of St. Paul's, as ordinaries of St. Gregory's church, which ſtood near the cathedral, removed the communion-table from the middle of the chancel to the upper-end, placing it there altar-wiſe. For which they alledged two reaſons. The firſt, that in the king's chapel, and all cathedrals, the communion-tables were placed in that manner, and therefore it was fit other churches ſhould conform to the ſame cuſtom. The ſecond, that when the tables ſtood in the middle of the chancel, ſeveral ſcandalous indecencies were committed, people leaning thereon in ſermon-time, or putting their hats on it. This laſt reaſon, added to the great care that was taken about kneeling at the ſacrament, cauſed many to believe, that the endeavouring to inſpire ſuch an extraordinary reſpect for the communion-table, and the giving it always the name of altar, was not without deſign. And therefore ſome of the pariſhioners of St. Gregory's complained of this removal, by appeal to the court of the arches[a]. But the council having notice of it, prevented the ſentence, by ordering the dean of the arches, to confirm by his authority, what had been done in St. Gregory's church.

Compl. Hiſt.

Clarendon, t. i. p. 73, 74.

Novemb. 3. A few days after, the king being preſent in council, cauſed this affair to be debated, and approving the act of the dean and chapter of St. Paul's, gave commandment, that if thoſe pariſhioners did proceed in their appeal, the dean of the arches (who was then attending at the hearing of the cauſe) ſhould caſſ them, and confirm the removal. This ſentence given by the king's ſovereign authority, without ſtaying for the judgment of the court, to whoſe cognizance this matter properly belonged, was a fountain of oppreſſions to many miniſters and congregations, who were not willing to comply with it. There was ſcarce a church in England, except the cathedrals and the king's chapel, where the communion-table was placed altar-wiſe at the upper-end of the chancel. But after the king had confirmed the removal in St. Gregory's church, the like diſputes aroſe in numberleſs places, and the high-commiſſion had frequent occaſion to puniſh the miniſters, who were ſuſpected of too little zeal for the church of

It becomes the occaſion of many ſuits.

[a] This court is the chief and moſt antient conſiſtory belonging to the archbiſhop of Canterbury, for debating ſeveral cauſes. It was held in the church of St. Mary le Bow, from whence it has its name. Its juriſdiction is ordinary, and reaches through the whole province of Canterbury. The judge is called dean, from having juriſdiction over a deanery, conſiſting of thirteen churches in London, exempted from the juriſdiction of the biſhop of London.

England.

England. As ſince the reformation, the altars were changed into communion-tables, and placed in the middle of the chancel, to avoid ſuperſtition, many imagined, the tables were again turned into altars, with intent to revive a ſuperſtitious worſhip. Charles I. 1633.

England being then in profound peace, and almoſt wholly unconcerned in what paſſed abroad, I can ſpeak only of domeſtic affairs. It is true, that each taken ſingly may ſeem of little conſequence, but all together may ſerve to ſhow the character of the king, the genius of the court, the conduct of the magiſtrates, and in general, the cauſes of that terrible revolution, of which the lord Clarendon has given the hiſtory.

In February 1634, came to a ſolemn hearing in the ſtar-chamber, a cauſe which made a great noiſe, and which ſhowed the extreme ſeverity of that court againſt ſuch as were ſuſpected not to be ſubmiſſive enough to the government. The caſe was this: Mr. William Prynn, barreſter of Lincoln's-Inn, had compiled and printed a large volume in quarto, of above a thouſand pages, entitled Hiſtrio-Maſtix. The author's chief deſign was to ſhow, that ſtage-plays, balls, maſques, were unlawful and antichriſtian. But in treating his ſubject, he had interſperſed ſundry reflections, applicable to the king, the queen, and the church, who approved or tolerated theſe abuſes. It was pretended, his aim in general was to ſhow, there was a deſign to reduce religion to a kind of paganiſm, in order to make way for popery. This outrage was repreſented by the king's council in the blackeſt colours they could poſſibly give it. At laſt, after a ſolemn hearing of three days, the book was condemned to be burnt by the common hangman, a thing till then unuſual in England. As for the author, ſentence paſſed upon him, that he ſhould be expelled Lincoln's-Inn, diſabled to practice, degraded of his degree in the univerſity of Oxford, ſet on the pillory, have his ears cut off, impriſoned during life, and fined five thouſand pounds. The publiſher, Michael Sparkes, who was alſo the printer of the book, was fined five hundred pounds, and Mr. Buckner, the chaplain who licenſed it, fifty pounds.

Prynn informed againſt in the ſtar-chamber. Feb. 7. Ruſhworth, ii. p. 220. &c. State-Trials tom. i. Annals, p. 446.

Severe ſentence againſt him.

This ſentence ſeemed too ſevere to diſintereſted perſons. It mortified the preſbyterians eſpecially, moſt of whom were of the ſame principles with Prynn. They could not help perceiving, in the ſeverity exerciſed upon this author, a malicious deſign to diſgrace their ſect, and oppreſs them on all occaſions. The truth is, the preſbyterian party, though very numerous, as plainly appeared afterwards, laboured then under

Wrong policy of the court in oppoſing the Puritans.

Charles I. 1634. der oppreſſion. They had againſt them, the king, the miniſters, the council, the ſtar-chamber, the high-commiſſion, the principal heads of the church of England, the arminians, the papiſts, the lord-lieutenants of the counties, the judges of the realm, and all the magiſtrates in general. Notwithſtanding all this, they daily gained ground. This would ſeem incredible, if it was not conſidered, that the court themſelves were the chief cauſe of their increaſe. The court conſidered, as puritans, all who did not ſhow ſubmiſſion enough to the king, or would not allow ſufficient extent to the prerogative royal, and by oppreſſing them as ſuch, or by refuſing them all kinds of employments, engaged them unavoidably to turn to the preſbyterians. As the king's pretenſions, with regard to government, were not approved by the majority of the nation, it happened by degrees, that almoſt all England became preſbyterians, according to the ſenſe given by the court to that term. For beſides, it is certain, there were in the preſbyterian party, multitudes who were very well affected to the church of England, but could not allow of the king's principles concerning government: ſo, this party, though continually oppreſſed, grew daily more numerous, waiting with impatience for a parliament, where they were almoſt ſure of finding protectors. But at the time I am ſpeaking of, there was no appearance of the king's intention to call a parliament. As nothing forced him to it, he took care not to expoſe himſelf to the ill-humours of a houſe of commons, and run the riſk of ſeeing revived the complaints which had obliged him to diſſolve the three foregoing parliaments.

Ship-money ſet on foot. It is very true, that in governing without a parliament, the king debarred himſelf of the extraordinary ſupplies which the ſovereigns uſually received from thence; but he did not believe, that the only way to have extraordinary ſupplies, was to apply to the houſe of commons. He had expreſsly told the parliament, by the lord-keeper, and frequently intimated himſelf, that he could find money without the aſſiſtance of parliaments. And yet, the petition of right having intervened ſince that time, and the king having bound himſelf, by his anſwer, not to raiſe any tax without the conſent of both houſes, he ſeemed to be deprived, by that anſwer, of all methods which he thought he might lawfully uſe before the petition was preſented. But expedients to evade the moſt ſolemn promiſes, are ſeldom wanting to men in power. On theſe occaſions, there are miniſters and counſellors who inſinuate to their maſters, that promiſes made by ſovereigns, bind them no farther than they think proper. William Noy, attorney-

torney-general, who was one of these bold counsellors, had, the last year, furnished the king with a way to raise an extraordinary supply without the concurrence of the parliament: namely, by the imposition of a tax upon the people, under colour of maintaining a certain number of ships to guard the seas [b]. But this bold counsellor died before he had seen the effects of his advice [c], after having however engaged his master in an affair which made him for ever lose his people's confidence, and was one of the principal causes of his ruin. Charles I. 1634. Rushworth, ii. p. 246, 247. Annals. Coke.

The death of the attorney-general hindred not the king from putting his advice in practice. To that purpose he directed to the mayors and head-officers of the maritime towns, writs to much the same effect with the following directed to the mayor of London [d].

"Carolus Rex, &c.

"TO the mayor, commonalty and citizens of our city of London, and to the sheriffs of the same city, and good men in the said city, and in the liberties and members of the same, greeting. Because we are given to understand, that certain thieves, pirates and robbers of the sea, as well Turks, enemies of the christian name, as others, being gathered together, wickedly taking by force, and spoiling the ships, and goods, and merchandizes, not only of our subjects, but also of the subjects of our friends in the sea, which hath been accustomed antiently to be defended by the English nation; and the same, at their pleasure, have carried away, delivering the men in the same into miserable captivity; and forasmuch as we see them daily preparing all manner of shipping, farther to molest our merchants, and to grieve the kingdom, unless remedy be not sooner applied, and their endeavours be not more manly met withal; also the dangers considered, which on every side, in these times of war, do hang over our heads, that it behoveth us, and our subjects, to hasten the defence of the sea and kingdom with all expedition or speed that we can; we willing, by the help of God, chiefly to provide for the defence of The first writs for ship-money to the city of London. Rushworth, ii. p. 257. Annals, p. 455.

[b] He died August 9. Laud's Diary. This year also died Richard Weston earl of Portland, and Sir Edward Coke, Echard.

[c] The lord keeper Coventry was also an adviser and promoter of this project, Whitelock, p. 22.

[d] Sir Robert Heath being suddenly removed, Sir John Finch was, on October 16, sworn lord chief-justice of the common-pleas in his room. Great were the discourses what the occasion should be of this sudden advancement. But four days after the writ for ship-money coming forth, it was conceived, that he was to be instrumental in advancing that business. Rushworth, tom. ii. p. 253.

Charles I. 1634.

" the kingdom, ſafe-guard of the ſea, ſecurity of our ſubjects, " ſafe-conduct of ſhips and merchandizes to our kingdom " of England coming, and from the ſame kingdom to foreign " parts paſſing; foraſmuch as we and our progenitors, kings " of England, have been always heretofore maſters of the " aforeſaid ſea, and it would be very irkſome unto us, if that " princely honour in our times ſhould be loſt, or in any " thing diminiſhed. And although that charge of defence, " which concerneth all men, ought to be ſupported by all, as " by the laws and cuſtoms of the kingdom of England hath " been accuſtomed to be done: notwithſtanding, we con- " ſidering that you, conſtituted in the ſea-coaſts, to whom " by ſea as well great dangers are imminent, and who by the " ſame do get more plentiful gains for the defence of the ſea, " and conſervation of our princely honour in that behalf, ac- " cording to the duty of your allegiance againſt ſuch at- " tempts, are chiefly bound to ſet to your helping hand; we " command firmly, enjoining you the aforeſaid mayor, com- " monalty and citizens, the ſheriffs of the ſaid city, and the " good men in the ſame city, and in the liberties and mem- " bers of the ſame, in the faith and allegiance wherein ye are " bound unto us, and as ye do love us, and our honour, and " under the forfeiture of all which ye can forfeit unto us, " that ye cauſe to be prepared and brought to the port of " Portſmouth, before the firſt day of March now next enſu- " ing, one ſhip of war of the burthen of nine hundred tuns, " with three hundred and fifty men at the leaſt, as well ex- " pert maſters, as very able and ſkilful mariners; one other " ſhip of war of the burthen of eight hundred tuns, with two " hundred and ſixty men at the leaſt, as well ſkilful maſters, " as very able and expert mariners: four other ſhips of war, " every of them of the burthen of five hundred tuns, and " every of them with two hundred men at the leaſt, as well " expert maſters, as very able and ſkilful mariners; and one " other ſhip of war, of the burthen of three hundred tuns, " with a hundred and fifty men, as well expert maſters, as " very able and ſkilful mariners: and alſo every of the ſaid " ſhips with ordnance, as well greater as leſſer, gun-powder, " and ſpears, and weapons, and other neceſſary arms ſufficient " for war, and with double tackling, and with victuals, until " the ſaid firſt of March, competent for ſo many men; and " from that time for twenty-ſix weeks, at your charges, as " well in victuals as mens wages, and other things neceſſary " for war during that time, upon defence of the ſea in our " ſervice, in command of the admiral of the ſea, to whom

" we

" we ſhall commit the cuſtody of the ſea, before the afore- Charles I.
" ſaid firſt day of March, and as he, on our behalf, ſhall 1634.
" command them to continue; ſo that they may be there
" the ſame day, at the fartheſt, to go from thence with our
" ſhips, and the ſhips of other faithful ſubjects, for the ſafe-
" guard of the ſea, and defence of you and yours, and re-
" pulſe and vanquiſhing of whomſoever buſying themſelves
" to moleſt or trouble upon the ſea our merchants, and other
" ſubjects and faithful people coming into our dominions for
" cauſe of merchandize, or from thence returning to their
" own countries. Alſo we have aſſigned you, the aforeſaid
" mayor and aldermen of the city aforeſaid, or any thirteen,
" or more of you, within thirty days after the receipt of this
" writ, to aſſeſs all men in the ſaid city, and in the liberties,
" and members of the ſame, and the land-holders in the ſame,
" not having a ſhip, or any part of the aforeſaid ſhips, not
" ſerving in the ſame, to contribute to the expences, about
" the neceſſary proviſion of the premiſſes; and to aſſeſs and
" lay upon the aforeſaid city, with the liberties and members
" thereof, viz. upon every of them according to their eſtates
" and ſubſtances, and the portion aſſeſſed upon them; and
" to nominate and appoint collectors in this behalf. Alſo
" we have aſſigned you, the aforeſaid mayor, and alſo the
" ſheriffs of the city aforeſaid, to levy the portions ſo as
" aforeſaid aſſeſſed upon the aforeſaid men and land-holders,
" and every of them in the aforeſaid city, with the liberties
" and members of the ſame, by diſtreſs and other due means;
" and to commit to priſon all thoſe whom you ſhall find re-
" bellious, and contrary in the premiſſes, there to remain
" until we ſhall give further order for their delivery. And
" moreover we command you, that about the premiſſes ye
" diligently attend, and execute thoſe things with effect,
" upon peril that ſhall fall thereon; But we will not, that
" under colour of our aforeſaid command, more ſhould
" be levied of the ſaid men, than ſhall ſuffice for the ne-
" ceſſary expences of the premiſſes; or that any, who have
" levied money for contribution, to raiſe the aforeſaid
" charges, ſhould by him detain the ſame, or any part
" thereof; or ſhould preſume, by any manner of colour, to
" appropriate the ſame to other uſes; willing, that if more
" than may be ſufficient ſhall be collected, the ſame may be
" paid out among the contributors, for the rate of the part
" to them belonging."

" Witneſs myſelf, at Weſtminſter, the 20th day of October,
" in the tenth year of our reign."

The

Charles I. 1634. The lord mayor of London having received this writ, assembled the common-council, who agreed to present the following petition to the king.

To the king's most excellent majesty.

The humble petition of your faithful subjects, the mayor, and commonalty, and citizens of your city of London, most humbly shewing,

The city of London's petition to the king. Decem. 2. Rushworth, t. ii. p. 266. Annals.

"THAT whereas your majesty by writ, bearing teste "20 Octobris last, commanded your petitioners at their "charge, to provide seven ships of war, furnished with men, victual, and all warlike provisions, to be at Portsmouth by "the first of March next, and to continue from thence by "the space of twenty-six weeks in your majesty's service, upon "the defence of the seas and other causes in the said writ "contained:

"Your petitioners do, in all submissive humbleness, and "with acknowledgment of your sacred majesty's many favors "unto your said city, inform your majesty, that they conceive, "that by ancient privileges, grants and acts of parliament "(which they are ready humbly to shew forth) they are "exempt, and are to be freed from that charge, &c."

But the pretensions of the city of London were not capable of causing the king to desist from his resolution. We shall see, on the contrary, that in time this tax, which was at first peculiar to the maritime towns, was imposed upon the whole kingdom [e].

1634-5. Laud's injunctions to the Walloon and French churches. Rushworth, t. ii. p. 206, 272, 293, 314, 521. Annals. Clarendon, t. i. p. 83.

After Laud's promotion to the archbishopric of Canterbury, his zeal for the church of England and against the presbyterians, seemed to be much increased. He kept by the king's order a private correspondence with the bishops of Scotland, concerning the liturgy and canons designed to be introduced into the kirk, and of which I shall speak more fully presently. It suffices to say here, that it was he that was charged with the conduct and execution of this project. But he did not confine his labours to the conversion of the Scots, nor even of the English presbyterians. The Dutch, the Walloons, the French, who had taken refuge in England, since the reign of Edward VI. had obtained sundry privileges from the former kings, and particularly the liberty of celebrating divine service after their manner, that is, the presbyterian, and formed several congregations,

Act. Pub. xix. 588.

[e] This year, sir Sanders Duncombe carried by two men. Rymer's Fœd. brought into England the use of chairs. tom. xix. p. 572.

both

both in London and other parts of the kingdom. But Laud could not bear they ſhould enjoy this privilege any longer. And therefore ſent them theſe two injunctions, having firſt ſecured the king's approbation: Charles I. 1634-5.

"1. That all the natives of the Dutch and Walloon congregations, in his grace's dioceſe, ſhould repair to their "ſeveral pariſh-churches of thoſe ſeveral pariſhes where "they inhabited, to hear divine ſervice and ſermons, and "perform all duties and payments required in that behalf.

"2. That the miniſters, and all other of the Dutch and "Walloon congregations, which were not natives and born "ſubjects to the king's majeſty, or any other ſtrangers that "ſhould come over to them, while they remained ſtrangers, "might have and uſe their own diſcipline, as formerly they "have done; yet it was thought fit, that the Engliſh liturgy "ſhould be tranſlated into French and Dutch, for the better "ſettling of their children to the Engliſh government."

Beſides that, by theſe injunctions, he impoſed upon theſe foreign churches a liturgy which they did not approve, he reduced theſe congregations almoſt to nothing, ſince he excluded all that were born in the kingdom, that is, all the deſcendants of ſuch as had fled hither in the reign of Edward VI. and conſequently there could be but very few left of thoſe born out of the kingdom.

Upon this, the Dutch and Walloon churches at Norwich preſented a petition to the biſhop of that dioceſe, remonſtrating, that the archbiſhop's injunctions were contrary, not only to ſeveral orders of the council heretofore given in favour of their congregations, but alſo to the privileges granted them when they firſt ſettled in England, and continued to them during the reigns of Edward VI. queen Elizabeth, and James I. and confirmed alſo by his preſent majeſty's royal word. The biſhop of Norwich not returning a favourable anſwer to their petition, they applied to the archbiſhop himſelf, who anſwered them by letter: That his majeſty was reſolved, his inſtructions ſhould hold, and that obedience ſhould be yielded to them by all the natives after the firſt deſcent, concluding his letter with theſe words: "And thus I have given you anſwer "fairly in all your particulars, and do expect all obedience "and conformity to my inſtructions, which if you ſhall perform, the ſtate will have occaſion to ſee how ready you "are to practiſe the obedience which you teach: And for "my part, I doubt not but yourſelves, or your poſterity at "leaſt, ſhall have cauſe to thank both the ſtate and the

Feb. 27. Ruſhworth. ibid. Annals.

Aug. 19.

Charles I. 1634-5. "church for this care taken of you; but if you refuse, (as "you have no cauſe to do, and I hope you will not) I ſhall "then proceed againſt the natives, according to the laws and "canons eccleſiaſtical[f].

1635. Thus the archbiſhop alledged, in vindication of the breach of the privileges granted to theſe congregations, and confirmed by four kings, of whom his preſent majeſty was one, the king's ſole will, or rather his own. It was evident, that the king's good-pleaſure on which he laid ſo much ſtreſs, was rather an approbation of what the archbiſhop had undertaken, than a warrant to undertake it. The preſbyterians having no other way to be revenged of the archbiſhop, publiſhed ſeveral libels againſt him, taking notice of all the innovations he had brought into the church, pretending they were ſo many ſteps towards popery. They forgot not to upbraid him with the pictures he had placed in the windows of his chapel at Lambeth, particularly that of God the Father in the form of a little old man. They obſerved ſeveral other things, of which the archbiſhop was afterwards accuſed by the houſe of commons. But this is not the proper place to ſpeak of this impeachment, or of the archbiſhop's defence.

Reproaches againſt the archbiſhop. Ruſhworth, t. ii. p. 273.

The king being always in want, his miniſters were continually employed in deviſing means to raiſe money. In the beginning of the year 1635, the attorney-general preſented an information in the ſtar-chamber againſt ſeveral hundreds of perſons, lords, knights, gentlemen, ladies, and others, for diſobeying his majeſty's proclamation, by which they were commanded not to reſide in London. I do not find the ſentence given upon this information, but very probably, conſidering the ſtar-chamber's zeal to ſupport the king's authority, the parties accuſed were puniſhed by fine.

Information againſt ſuch as reſide in London contrary to the king's proclamation. Ruſhworth, t. ii. p. 288. Annals.

The tax to provide and maintain a certain number of ſhips to guard the ſeas, was impoſed in 1634, for the year 1635, only upon the maritime towns. But in 1635, the king ſent his writs for ſhip-money all over the kingdom for the year 1636[g]. The reaſon or rather pretence of this general tax was, that the kingdom was in great danger, on account of the

Ship-money is laid upon the whole kingdom. Act. Pub. tom. xix. p. 658, 670. Ruſhworth, t. ii. p. 335, &c.

[f] About one hundred and forty families of theſe people went into Holland, where they were kindly received, and exempted from exciſe, and paying of houſe-rent for ſeven years: They taught the Dutch the way of managing the woollen manufacture, which has been of very-bad conſequence to England. Thouſands of families retired alſo into New-England. Coke, p. 311, 312.

[g] The reader may ſee in Ruſhworth, tom. ii. p. 335, the diſtribution of ſhips, in all forty-five, to the ſeveral ſhires, together with the ſum ſet on the corporate towns in each county. For example,

Eſſex

the league lately concluded between France and the Low-Countries. Though it did not appear how this league, which was not againſt England, could put the kingdom in danger, the king however inferred, that the two moſt powerful ſtates in naval forces being united, it was abſolutely neceſſary that England ſhould have a ſtrong fleet to preſerve the dominion of the ſea, otherwiſe ſhe might be inſulted, and her trade diſturbed. This tax being impoſed by virtue of the prerogative royal, ſeveral private perſons refuſed to pay the ſums they were rated at. Nay, ſome there were who ſued the magiſtrates and other officers appointed to levy the money, aſſerting, that the ſubject could be taxed only by act of parliament. This oppoſition was the reaſon, that in the year 1636 ſhip-money amounted to not above two hundred thouſand pounds, though the king had expected a much larger ſum. Mean while, the king conſidering that by means of this tax he ſhould have a ſettled revenue, beſides that it would be a precedent to make uſe of his prerogative on other occaſions, reſolved to ſupport his project at any rate. But to guard it againſt all objections of being illegal, and contrary to his anſwer to the Petition of Right, he had a mind to ſhow he was authorized on this occaſion to exert his prerogative. To that end he ſent to the judges of the realm, and required their opinion concerning his right to levy this tax. As the judges wholly depended upon the court, they very readily decided in favour of the king, and gave him their opinion in writing [h]. But the king thought not proper to publiſh their determination, being ſatisfied with keeping it private till there ſhould be occaſion to uſe it. This will hereafter appear. But I muſt firſt ſpeak of ſome other things which paſſed in this interval.

Charles I. 1635.

236,000.

The king requires the opinion of the judges concerning this matter.

This year, 1635, the king renewed a former commiſſion to confirm their defective titles, to ſuch as held lands of the crown. He pretended it was an act of grace, and that his only aim was to ſecure the poſſeſſion of lands to thoſe who held them by diſputable titles. But notwithſtanding this, the commiſſion was looked upon as a manifeſt oppreſſion. For,

Commiſſion to compound for defective titles. Act. Pub. xix. p. 670, &c. Ruſhworth, t. ii. p. 300. Annals.

		Tuns.	Men.	Charge.
Eſſex one ſhip of		800	320	8000 l.
Corporate towns.	Borough of Thaxted			040
	Town and pariſh of Walden			080
	Town of Colcheſter			400
	Borough of Malden			080
	Borough of Harwich			020

[h] Whitelock ſays, after much ſolli- citation by the chief juſtice Finch, pro- miſing preferment to ſome, and highly threatning others, whom he found ſuſer to the king's letter and caſe, their opinions, as will be ſeen hereafter. Whitelock, p. 24.

under

Charles I. 1635. under colour of examining defective titles, all the proprietors were obliged to produce their titles, to which, how valid ſoever they might be, the commiſſioners made objections. So, to avoid a law-ſuit with the king, wherein they were ſure to be caſt, conſidering the diſpoſition of the judges, the proprietors were forced to compound, and give money to ſecure their lands, which were otherwiſe in danger of being re-united to the crown.

Proclamation to forbid going out of the realm. July 21. Act. Pub. xix. p. 646, 699.

Shortly after, the king publiſhed a proclamation, commanding all perſons, except ſoldiers, mariners, merchants, and their factors, not to depart the kingdom without his licence. Several kings of England had ordered the ſame thing on ſome particular occaſions, but it was doubted whether ſuch a prohibition was neceſſary when the proclamation was publiſhed.

Abuſes of informers prevented. September 6 ib. p. 688. Ruſhworth, t. ii.

The abuſes of the informers, that is, perſons who watched people's actions, in order to accuſe them, in caſe they infringed the laws, were grown ſo exceſſive, that the king was forced, if not to aboliſh them entirely, at leaſt, to qualify them by certain directions which he ordered to be obſerved.

Juxton made lord-treaſurer. March 6. Laud's Diar. Annals.

The office of lord-treaſurer, which had been executed by commiſſioners, ſince the death of the earl of Portland, was conferred on Dr. William Juxton, biſhop of London, who diſcharged it worthily. No churchman had enjoyed this poſt ſince Henry VII's time [1].

Parr 152 years old. Septemb. 29 Annals.

The ſame year was preſented to the king, by the earl of Arundel, an old man called Parr, who was a hundred and fifty-two years of age, and in perfect health. He was born the laſt year of the reign of Edward IV.

The elector Palatine at London.

The elector Palatine and prince Rupert [or Robert] his brother arrived in England about this time, and were lodged in the king, their uncle's palace.

1636. Divers ſuits about the altars. Ruſhworth, t. ii. p. 300, 301. Annals.

The preſbyterians were ſtill moleſted upon every occaſion, or whenever they gave their enemies an advantage, through an exceſs of zeal which was not always well regulated. Samuel Ward, a miniſter in Ipſwich, boldly preached againſt the king's Book of Sports, and alſo ſaid, "That the church "of England was ready to ring changes in religion." For which he was ſuſpended by the high commiſſion, and afterwards

[1] Whitelock gives him this character, "He was a perſon of great parts and "temper, had much command of himſelf, was full of ingenuity and meekneſs, not apt to give offence "to any, and willing to do good to all," p. 24. In leſs than five years

wards committed to prison for refusing to make a public re- Charles I.
cantation. The church-wardens of Beckington in Somer- 1636.
setshire refusing to place the communion table otherwise than it had been for sixty years, were excommunicated by the bishop of Bath and Wells. They appealed to the arches, but their appeal was rejected. Then they petitioned the king, but with no better success. So the church-wardens stood excommunicated a whole year, and were afterwards thrown into the common gaol, from whence at length they were released by the bishop, upon their public submission and penance. It would be too tedious to relate all the actions which were entered in the high commission upon the two articles I have been speaking of. It suffices to observe, that the number was very great, and the high-commission always punished very severely such as dared to swerve from what was prescribed by the church.

On the other hand, the archbishop of Canterbury, ever zealous for the church of England, considered as puritans all who neglected the least rite or ceremony of the church. This prelate being informed of some remissness in that respect in the two universities, could not suffer such an abuse. There were at Cambridge three chapels where divine service was daily celebrated, though they had never been consecrated. This neglect, which to him seemed so blameable, exciting his zeal, he resolved to visit the universities as metropolitan. He met with some opposition, the universities maintaining, that he had not the right of visiting as archbishop, though they did not deny he might visit by the king's commission, if his majesty was pleased to appoint him. But not being satisfied with a borrowed power, he brought the case before the king, who decided it in his favour, after having himself supported the archbishop's reasons with arguments, and answered the objections of the universities. The archbishop being so well supported, could not fail of obtaining the victory [1].

The archbishop intends to visit the universities. Rushworth, t. ii. p. 324. Laud's Diar. Annals.

Opposition.

The king gives it for him. Act. Pub. xix. p. 544.

The king being determined, as I said, to continue the tax for the maintenance of the ships designed to guard the seas, and having the last year given orders for levying it this year 1636, was obliged to seek a pretence for a fleet. This tax, called by the English, ship-money, and which for shortness I shall term so for the future, was grounded upon the necessity of guarding the seas. But none could perceive the

Proclamation to forbid foreigners to fish on the coast of Great-Britain. May 10. Rushworth. t. ii. p. 322. Annals. p. 476.

[1] About this time the new statutes for the university of Oxford were finished, and published in convocation. Rushworth, tom. ii. p. 324. See Annals, 472.

danger,

Charles I. 1636. danger, which, according to the king, England was expoſed to by the alliance between France and Holland. To this pretence therefore was to be added that of preſerving the dominion of the narrow ſeas. To that end he publiſhes a proclamation, declaring, "Whereas king James did, in the "ſeventh year of his reign, ſet forth a proclamation touching "fiſhing; whereby all perſons of what nation or quality ſoever "(being not his natural-born ſubjects) were reſtrained from "fiſhing upon any of the coaſts and ſeas of Great-Britain, "Ireland, and the reſt of the iſles adjacent, until they had "orderly obtained licences in that behalf. Since which "time, neither the king his father, nor himſelf have made "any conſiderable execution of the ſaid proclamation, but "have expected a voluntary conformity thereto. But now "finding by experience, that all the inconveniencies which "occaſioned that proclamation, are rather increaſed than "abated; and his majeſty well knowing how far he is ob-"liged in honour to maintain the rights of his crown, has "thought it neceſſary to renew the aforeſaid reſtraint of fiſh-"ing, and to declare, that his reſolution is to keep ſuch a "competent ſtrength of ſhipping upon his ſeas, as may be "ſufficient both to hinder farther encroachments upon his "regalities, and aſſiſt and protect thoſe his good friends and "allies, who ſhall henceforth with licenſe endeavour to make "benefit of fiſhing upon his coaſts."

The king's fleet attacks the Dutch fiſhermen, who compound with the king. Ruſhworth, t. ii. p. 322. Annals.

These friends were Hollanders, who came every year and fiſhed for herrings on the coaſt of Scotland. It was therefore manifeſt, that after thirty years forbearance he found quarrel with the Dutch, only to have occaſion to fit out a fleet, which ſerved for pretence to impoſe the tax of ſhip-money. This quarrel produced the two famous treatiſes, entitled, Mare Liberum, and Mare Clauſum, the former penned by Grotius, the latter by Selden. But the king regarded not arguments drawn from hiſtory, or antient treaties between the two nations; he made use of a more effectual method, namely, a fleet under the command of Algernoon earl of Northumberland. This fleet attacking the diſperſed fiſhermen, who little expected it, and ſinking ſome, compelled the reſt to retire into the Engliſh harbours, as the ſafeſt retreat, and in ſhort, to give the king thirty thouſand florins, for permiſſion to continue their fiſhing that ſummer.

Act. Pub. xix. 761. Warwick's Mem.

m The Dutch agreed to give the king thirty thouſand pounds for this ſum.

Soon after, the king raiſed thirty thouſand pounds by a commiſſion to enquire concerning depopulations and converſions of arable lands to paſture, ſince the 10th year of queen Elizabeth [n]. There were many offenders of this kind, and ſo heavy a fine was impoſed in the ſtar-chamber on Sir Antony Roper, that the reſt, to avoid the ſame treatment, ſpeedily compounded with the king. Charles I. 1636.

A commiſſion about depopulation. July 19. Ruſhworth. ii. p. 333. Annals.

But ſhip-money was the moſt important thing, and as ſuch regarded by the court. The king neither would nor could depart from it for three principal reaſons. Firſt, becauſe he ſhould be deprived of a very conſiderable aid, which he meant to render fixt and cuſtomary. Secondly, in deſiſting from this tax, after levying it two years ſucceſſively, he would have given cauſe to believe he had no power to impoſe it, and conſequently had acted contrary to law. Thirdly, having reſolved never more to call a parliament, it highly concerned him to eſtabliſh his prerogative in ſuch a manner, that none ſhould dare to conteſt it. So the the city of London having petitioned the board, that the twenty ſhips they were rated at might be reduced to ten, received a very ſharp anſwer to this effect:

The king will not give up ſhip-money.

The petition of the city of London in vain. Ruſhworth, ii. p. 334.

"That the tax of ſhip-money was neceſſary for the preſervation of the ſtate; and the charge was not immoderate: "that his majeſty would admit of no excuſe. but expected "a ready compliance: that the precedents alledged in favour "of the city, ought to induce them to obey, rather than to "contradict and direct the king."

Notwithſtanding all this, there were ſome that obſtinately refuſed to pay their ſhare of this tax, imagining, no court of juſtice would be ſo bold as to compel them. As theſe examples were of dangerous conſequence, the king thought proper to publiſh the opinions of the judges. To that end the lord-keeper having aſſembled all the judges in the ſtar-chamber, told them, the king was very well pleaſed with their endeavours in their ſeveral circuits, to perſuade his ſubjects to pay ſhip-money; but however, his majeſty hearing that ſome refuſed to pay this tax, had thought fit to have recourſe to their advice for his direction in the caſe, and had commanded him to publiſh their opinions for the ſatisfaction of his ſubjects. the he cauſed the king's letter to the judges on this ſubject to be read as follows:

Several law-ſuits about ſhip-money. The king publiſhes the judges opinion. Ruſhworth, ii. p. 352.

grant from the king, for their permiſſion to fiſh for the time to come, paying a yearly tribute. Ruſhworth, tom. ii. p. 322.

[n] This was only for four counties. But the like commiſſions were granted for other counties. This was ſtrenuouſly promoted by archbiſhop Laud. Ruſhworth, tom. ii. p. 339. Clarendon, tom. i. p. 76.

Charles I. 1636.

The king's letter to the judges. Rushworth, ii. p. 354. Annals.

"TRUSTY and well-beloved, we greet you well. Taking into our princely conſideration, that the honour and ſafety of this our realm of England, (the preſervation whereof is only entruſted in our care) was, and is now more nearly concerned than in former times, as well by divers counſels and attempts, to take from us the dominion of the ſea, of which we are the ſole lords, and rightful owners, the loſs whereof would be of great danger and peril to this kingdom, and other our dominions; we, for the avoiding of theſe and the like dangers, well weighing with our ſelves, that where the good and ſafety of the kingdom in general is concerned, and the whole kingdom in danger, there the charge and defence ought to be borne by all the realm in general; did, for prevention of ſo public a miſchief, reſolve with our ſelves to have a royal navy provided, that might be of force and power, with Almighty God's bleſſing and aſſiſtance, to protect and defend this our realm, and our ſubjects therein, from all ſuch perils and dangers; and for that purpoſe we iſſued forth writs under our great ſeal of England, directed to all our ſheriffs of all our ſeveral counties of England and Wales, commanding thereby all our ſaid ſubjects of every city, town, and village, to provide ſuch a number of ſhips well furniſhed, as might ſerve for this our royal purpoſe, and which might be done with the greateſt equality that could be, in performance whereof, [illegible] all the counties of this our realm, we have found in our ſubjects great chearfulneſs and alacrity, which we graciouſly interpret, as a teſtimony as well of their duty and affections to us in our ſervice, as of the reſpect they have to the public, which well becometh every good ſubject. Nevertheleſs, finding that ſome few, happy out of ignorance what the laws and cuſtoms of this our kingdom [illegible] out of a deſire to be eaſed, and freed in their particulars, how general ſoever the charge ought to be, have not yet paid and contributed the ſeveral rates and aſſeſſments that were ſet upon them, and foreſeeing in our princely wiſdom, that from hence divers ſuits and actions are not unlikely to be commenced and proſecuted in our ſeveral courts at Weſtminſter: we, deſirous to avoid ſuch inconveniences, out of our princely love and affection to all our people, being willing to prevent ſuch [illegible] our loving ſubjects may happen to run into, [illegible] of this nature, to adviſe with you, [illegible] doubt not are well ſtudied and

" ſovereignty; and becauſe the trials of our ſeveral courts; Charles I.
" by the formality of pleading, will require a long protrac- 1636.
" tion, we have thought expedient by this our letter, di-
" rected to you all, to require your judgment in this caſe, as
" it is ſet down in the incloſed paper, which will not only
" gain time, but alſo be of more authority to over-rule any
" prejudicate opinions of others in the point."

" Given under our ſignet, at our court at Whitehall, the
" ſecond day of February, in the twelfth year of our
" reign, 1636."

The king's letter being read, the lord keeper commanded the caſe incloſed to be read, being as follows.

" Carolus Rex,

" WHEN the good and ſafety of the kingdom in general Queſtions propoſed by the king to the judges. Ruſhworth, ii. p. 355. Annals.
" is concerned, and the whole kingdom in danger,
" whether may not the king, by writ under the great ſeal of
" England, command all the ſubjects of our kingdom, at
" their charge, to provide and furniſh ſuch a number of ſhips,
" with men, victuals, and munition, and for ſuch time as
" we ſhall think fit for the defence and ſafe-guard of the king-
" dom from ſuch danger and peril, and by law compel the
" doing thereof, in caſe of refuſal and refractorineſs? And
" whether, in ſuch a caſe, is not the king ſole judge both of
" the danger, and when, and how the ſame is to be pre-
" vented and avoided?"

The judges anſwer.

" May it pleaſe your moſt excellent majeſty,

" WE have, according to your majeſty's command, every The judges anſwer.
" man by himſelf, and all of us together, taken into
" ſerious conſideration, the caſe and queſtion ſigned by your ma-
" jeſty and incloſed in your royal letter; and we are of opi-
" nion, that when the good and ſafety of the kingdom in gene-
" ral is concerned, and the kingdom in danger, your majeſty
" may, by writ under the great ſeal of England, command
" all your ſubjects of this your kingdom, at their charge, to
" provide and furniſh ſuch a number of ſhips, with men, vic-
" tuals, and munition, and for ſuch time as your majeſty
" ſhall think fit, for the defence and ſafeguard of this king-
" dom from ſuch danger and peril: and that by law your
" majeſty may compel the doing thereof, in caſe of refuſal or
" refractorineſs: and we are alſo of opinion, that in ſuch

Charles I. 1636. "case your majesty is the sole judge, both of the danger, "and when, and how the same is to be prevented and a- "voided o."

John Bramston,	George Crooke,
John Finch,	Thomas Trevor,
Humphrey Davenport,	George Vernon,
John Denham,	Francis Crawley,
* Richard Hutton,	Robert Berkly,
William Jones,	Richard Weston.

The judges answer entered in the courts of justice. Rushworth, ii. p. 356.

After the reading of the case and answer, the lord keeper said, "the king hath commanded him to publish the judges "determination, and to give order that it should be en- "tered in all the courts of Westminster. That moreover "his majesty enjoined the judges to declare the same in their "circuits throughout the kingdom, that no one might plead "ignorance. That however, it was not his majesty's pur- "pose to stop the actions or suits which have been, or should "be brought concerning this matter, but only to prevent "such as should bring their actions from being surprized." He concluded with saying, "If any contrary opinion "should yet remain among men, it must proceed from those "that are sons of the law, or from some not towards the "law. Of the latter I will say, "Felices demum essent "artes si de illis solum judicarent artifices." And as for the "former, you, the judges of the realm, are and ever have "been accounted the fathers of the law; then will it ill be- "come the son to dispute against it, or take upon him to be "wiser than the father."

Remark on this matter.

It is easy to perceive, that the [illegible] posed to the judges lay in sup[illegible] danger to the kingdom, for instan[illegible] invasion, which most certainly [illegible] yet, upon the bare possibility of [illegible] extraordinary case, the king established a principle, which gave him power to impose not only ship-money, but any [illegible] please for the future. The prevarication of the judges consisted in that feigning not to see the artifice of the question, they admitted, without examination, the king's supposition, and decided the present case, upon the [illegible] of an extraordinary and unforeseen emergency which was not impossible. Two of the judges however, [illegible] Hutton and Crooke,

Rushworth, ii. p. 354.

o The king's letter, the case, and [illegible] [illegible] the judges opinion being distinctly read [illegible] [illegible] to some [illegible] in the presence of all the [illegible] Rushworth, [illegible] Cooke, who at that time was [illegible].

were

were not of the ſame opinion: but they were perſwaded to ſign, like the reſt, by the conſideration that it was the opinion of the whole body. Let it be farther obſerved, that the order to enter the judges determination in the courts of juſtice, and to publiſh it through all parts of the kingdom, was very extraordinary, ſince thereby the king pretended to make it a ſort of law, by which the courts were to proceed in judging the ſuits, which might afterwards be brought upon this affair. This had never been practiſed, but with regard to acts of parliament. Charles I. 1636.

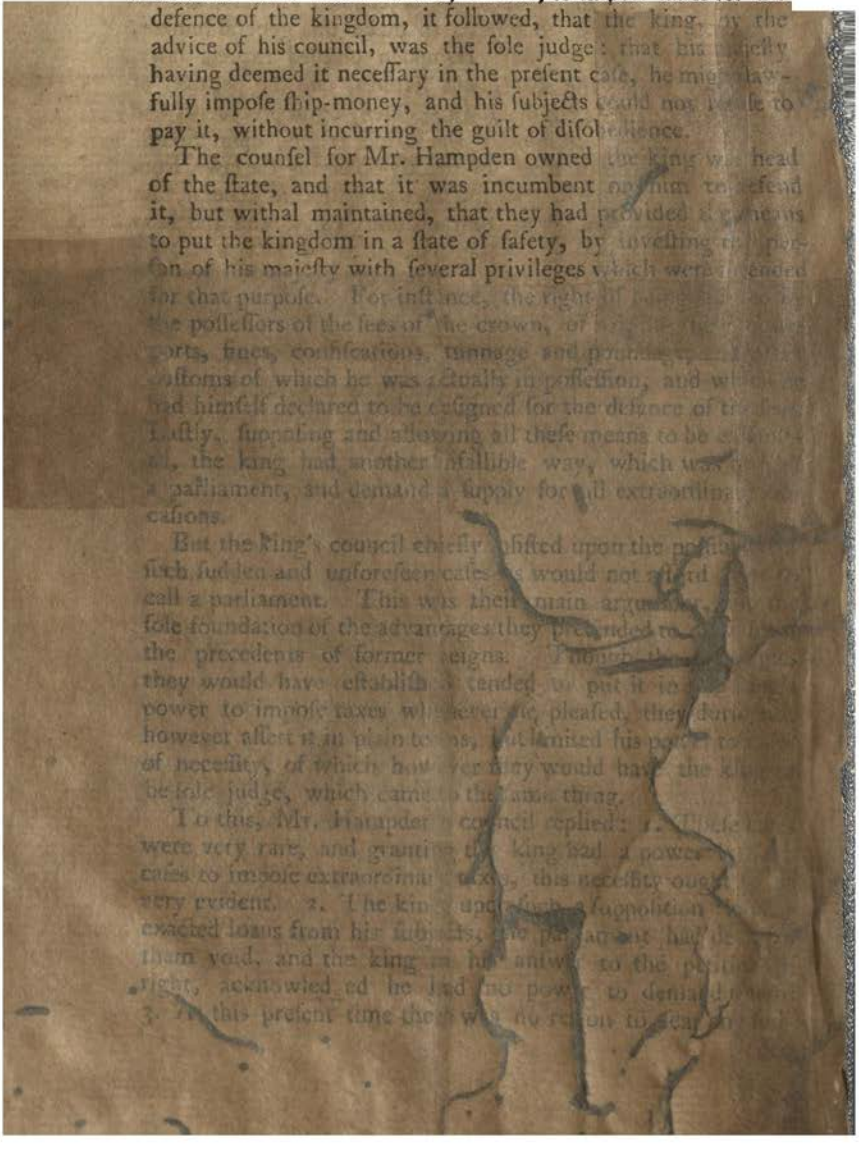
After theſe precautions, the king thought himſelf ſufficiently authorized to order ſuch to be proſecuted, as refuſed to pay ſhip-money. He imagined none would be ſo hardy and obſtinate as to maintain a refuſal before judges, that had already declared their opinion, and could not give a contrary judgment without making themſelves ridiculous. Nevertheleſs, there was a gentleman, who being perſuaded, notwithſtanding the judges determination, that ſhip-money was illegal and contrary to the petition of right, reſolved to ſtand the ſhock and refuſe to pay the tax. Mr. Hampden of Buckinghamſhire was the man, who being rated at twenty [p] ſhillings, choſe rather to be condemned than pay voluntarily. This caſe was argued in the exchequer chamber, before all the judges of England, who were ſent for to render the judgment the more ſolemn and authentic. Though the point was only to decide, whether Mr. Hampden ſhould pay twenty ſhillings or not, it was however, the moſt important caſe that had ever been argued in any court of juſtice. The point in queſtion was, to determine, whether the king had power to tax the ſubject without the concurrence of the parliament, and whether the people were obliged to pay taxes impoſed in that manner. Accordingly Mr. Hampden's and the king's counſel diſplayed on this occaſion all that wit, learning, knowledge of the laws, ſolidity of reaſoning, ſubtlety, chicanry, are able to produce. There were ſome who pleaded four days together. I do not ſuppoſe it is expected, I ſhould inſert here all the arguments alledged on both ſides in this famous caſe. I ſhall content myſelf therefore with briefly giving a general idea of the thing. Hampden's proſecution. Ruſhworth. ii. p. 430. &c. State-Try. vol. i. Annals. p. 482, 608.

The king's counſel maintained, that the king was the head of the ſtate, and obliged to protect it when in danger: that danger might be ſuch as required an immediate remedy. From thence they inferred, that what was alledged in favour Summary of the argument on both ſides.

[p] Pepin, by miſtake, ſays ten;

of

Charles I. 1636. of the laws was not to the purpoſe, ſince caſes might happen where it was impracticable to obſerve them: conſequently their execution was reſtrained by neceſſity, and in theſe caſes of neceſſity, the king had an abſolute power to impoſe taxes for the defence of the realm, for which they urged ſundry precedents in former reigns. They added, as the people were not called to the king's council to give their opinion, whether there was a neceſſity or not, to impoſe taxes for the defence of the kingdom, it followed, that the king, by the advice of his council, was the ſole judge: that his majeſty having deemed it neceſſary in the preſent caſe, he might lawfully impoſe ſhip-money, and his ſubjects could not refuſe to pay it, without incurring the guilt of diſobedience.



The counſel for Mr. Hampden owned the king was head of the ſtate, and that it was incumbent on him to defend it, but withal maintained, that they had provided other means to put the kingdom in a ſtate of ſafety, by [illegible] on of his majeſty with ſeveral privileges which were intended for that purpoſe. For inſtance, the right of [illegible] the poſſeſſors of the fees of the crown, of [illegible] ports, fines, confiſcations, tunnage and [illegible] boſtoms of which he was actually in poſſeſſion, and which had himſelf declared to be aſſigned for the defence of the [illegible] Laſtly, ſuppoſing and allowing all theſe means to be [illegible] all, the king had another infallible way, which was [illegible] a parliament, and demand a ſupply for all extraordinary occaſions.

But the king's council chiefly inſiſted upon the [illegible] ſuch ſudden and unforeſeen caſes as would not admit [illegible] call a parliament. This was their main argument, [illegible] ſole foundation of the advantages they pretended to [illegible] the precedents of former reigns. Though [illegible] they would have eſtabliſhed, tended to put it in the king's power to impoſe taxes whenever he pleaſed, they durſt not however aſſert it in plain terms, but limited his power to caſes of neceſſity, of which however they would have the king be ſole judge, which came to the ſame thing.

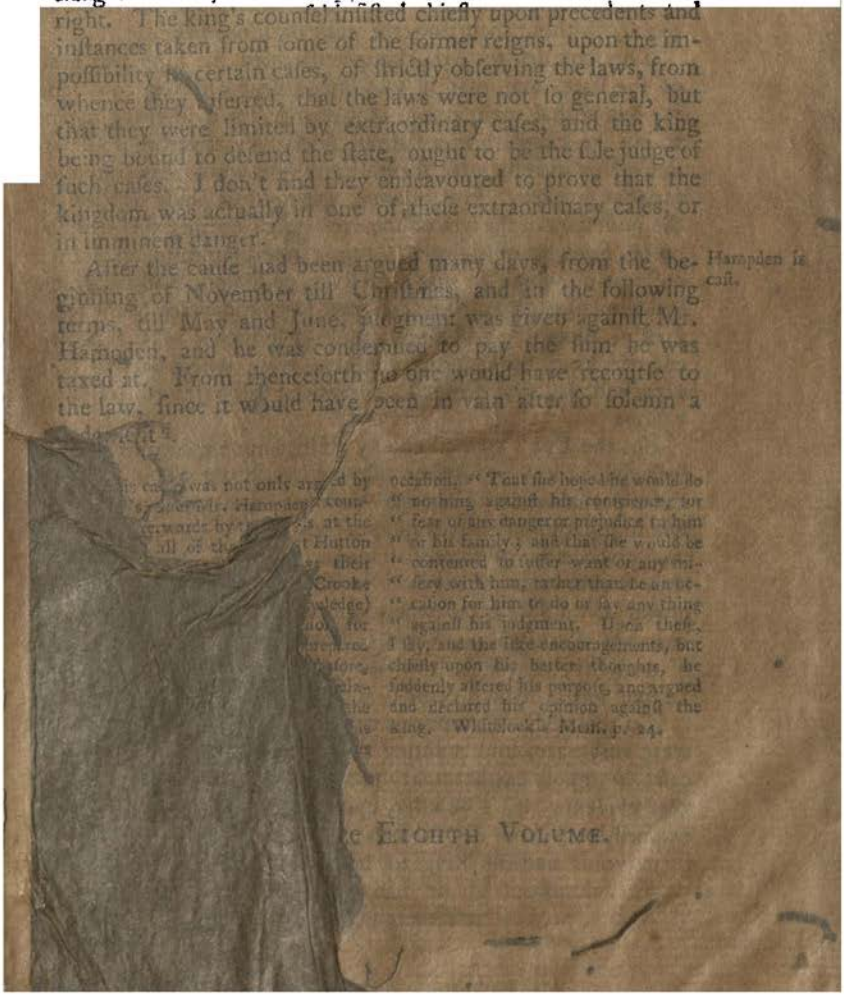
To this, Mr. Hampden's council replied: 1. That ſuch caſes were very rare, and granting the king had a power in ſuch caſes to impoſe extraordinary taxes, this neceſſity ought to be very evident. 2. The king, upon ſuch a ſuppoſition, had exacted loans from his ſubjects, the parliament had declared them void, and the king in his anſwer to the petition of right, acknowledged he had no power to demand [illegible] 3. At this preſent time there was no reaſon to [illegible]

den invaſion, ſince his majeſty was in peace with all his neighbours. 4. The king himſelf did not think the danger to be imminent, ſince the writs ſent to the counties to fit out ſhips being dated the 7th of Auguſt, theſe ſhips were not to be at Portſmouth till the firſt of March following, and conſequently the king himſelf was of opinion, that there was ſeven months time to prevent the danger, in which ſpace a parliament might eaſily be called.

I ſhall inſiſt no longer upon this ſubject, which would lead me too far, if I ſhould relate the objections, anſwers, and replies of both ſides. It ſuffices to make this general remark, that the counſel for Mr. Hampden pleaded expreſs laws, Magna Charta, the ſubſequent ſtatutes, and the petition of right. The king's counſel inſiſted chiefly upon precedents and inſtances taken from ſome of the former reigns, upon the impoſſibility in certain caſes, of ſtrictly obſerving the laws, from whence they inferred, that the laws were not ſo general, but that they were limited by extraordinary caſes, and the king being bound to defend the ſtate, ought to be the ſole judge of ſuch caſes. I don't find they endeavoured to prove that the kingdom was actually in one of theſe extraordinary caſes, or in imminent danger.

After the cauſe had been argued many days, from the beginning of November till Chriſtmas, and in the following terms, till May and June, judgment was given againſt Mr. Hampden, and he was condemned to pay the ſum he was taxed at. From thenceforth no one would have recourſe to the law, ſince it would have been in vain after ſo ſolemn a

Hampden's caſe.



DIRECTIONS to the Book-binder for placing the CUTS.

The Head of James I.	to face the Title.
The Monument of James I.	300
The Head of Charle. I.	325

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